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THE  
DEBATES  
AND  
PROCEEDINGS

DURING THE

FOURTH SESSION OF THE TWENTY-FIRST PARLIAMENT

OF THE

PROVINCE OF NOVA-SCOTIA.

1859.

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REPORTED BY  
OTTO WEEKS, JR.

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1859.

# PARLIAMENTARY DEBATES,

AND GENERAL PROCEEDINGS OF THE FOURTH SESSION OF THE TWENTY-FIRST  
PARLIAMENT OF THE PROVINCE OF NOVA SCOTIA,

COMMENCING ON THURSDAY, FEBRUARY 3rd, 1859.

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## HOUSE OF ASSEMBLY, FEBRUARY 3RD, 1859.

THE FOURTH SESSION of the Twenty-first Parliament for the Province of Nova Scotia, was this day opened with the usual formalities.

At half-past two o'clock, P. M., His Excellency the Right Honorable the EARL OF MULGRAVE, Lieutenant-Governor, came in state to the Council Chamber, and, being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know "It is His Excellency's will and pleasure they attend him immediately in this House," who being come with their Speaker, His Excellency was pleased to open the Session with a Speech to both Houses as follows :

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

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

Since the prorogation, communications have been received from the Colonial Office and the Governor-General, on the subject of a Federal Union of the North American Provinces, which will be placed before you at an early day.

I am happy to inform you that your Address to Her Majesty on the Inter-Colonial Railway was very graciously received.

The correspondence with the Imperial Government, Canada, and New Brunswick, which induced me to send a Delegation to England, will be submitted, with the Report of the Delegates, for your information.

You will be glad to learn that during the recess the Railways to Windsor and Truro have been completed and opened for traffic, embracing sixty miles more than were previously in operation.

Full Reports of every thing connected with these great Public Works will be placed on the table without delay.

During the past Summer I had the pleasure of visiting several portions of this fine Province,

and intend to avail myself of future opportunities to become personally acquainted with those sections of the country I have not already seen.

When in Cape Breton, I visited the St. Peter's Canal, and directed a further examination and report to be made upon that work, which will be laid before you.

The Hospital for the Insane has been so far completed and furnished as to be ready for the reception of patients, a number of whom are now experiencing the benefit of that Institution.

While we have reason to thank Almighty God for an abundant harvest, I regret to learn that some distress has been experienced by a portion of our hardy and industrious population, from a partial failure of the Fisheries.

Although, as was expected, a slight deficiency in the Revenue has resulted from the paralyzed condition of trade everywhere, I am happy to find indications of decided improvement already exhibited in the healthier tone of commercial transactions, both here and abroad, from which we may confidently anticipate an increase in the Revenue of the current year.

The increased liability devolved upon you in connection with the Public Works, renders it imperative that, in making your annual appropriations, due regard should be had to economy, in order that you may preserve unsullied the credit of the Province, upon which your character as a people depends.

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

The accounts for the expenditure of the past, together with the estimates for the present year, will be placed before you.

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

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

Your attention will be invited to several useful measures intended to facilitate the business and promote the interests of the Province, and which will, I doubt not, receive your careful consideration.

THURSDAY, February 3.

The House of Assembly having returned to their Chamber—

The speech was read by the Hon. the Speaker.

After which the Hon. the Speaker announced that having received information of the demise of George W. McLellan, Esq., and Ichabod Dimock Esq., he had authorised the issue of writs for new Elections for the Counties of Colchester and Hants.

The Hon. PROVINCIAL SECRETARY laid on the table returns shewing that G. W. McLellan and Bennet Smith, Esquires, had been duly returned for said Counties.

The members elect were then sworn in before the Honbls. H. Bell and M. B. Almon, members of the Legislative Council.

BILL PRO FORMA.

Mr. W. A. HENRY asked leave to introduce a Bill, entitled, An Act to establish a Decimal Currency. Read a first time.

THE ADDRESS.

Mr. RUGGLES—The next matter for the consideration of the House is the answer to his Excellency's speech, which I intend, Mr. Speaker, to move; but before doing so I beg leave to call the attention of the House to several matters of importance, referred to in it. The first subject to which your attention is directed is the Union of the Colonies—a question of vast importance, which has occupied some of the ablest minds of the day, not only in the Colonies but in the mother country. The next question is the inter-Colonial Railway, which has been under consideration for some time, and several important steps have been recently taken for the purpose of placing the matter prominently before the Legislatures of the Colonies and the mother country, and from what has transpired we may safely conclude that at some future and not very distant day this great undertaking will be perfected. As a question of inter-Colonial policy it is of vast importance to all the Colonies, and perhaps more so to Nova Scotia than any other; and no doubt when the report of the delegation is laid on the table, it will receive that due consideration which its importance demands.

His Excellency also congratulates the Legislature on the completion of the Hospital for the Insane—an institution long required; and although it has taxed our resources heavily, yet I know not, sir, a more worthy object to which the funds of this Province could not have been appropriated. That unfortunate class of people, who, bereft of reason, are incapable of maintaining themselves, are there well and suitably provided for.

It is also pleasing to us to know that His Excellency has, during the recess, made himself familiar, by personal inspection, with various sections of the country, and expresses in the speech his intention of visiting the whole province, whereby we will be enabled the better to judge of the wants and necessities of the people over whom he has been appointed to preside.

The answer to His Excellency's speech alludes to several other matters, to which it is not my intention now to refer, I shall therefore content

myself by moving the following Answer to the Address:—

To His Excellency the Right Honorable the EARL OF MULGRAVE, Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, the Representatives of the people of Nova Scotia, thank your Excellency for the courteous terms in which we have been invited to resume our Legislative labors.

The communications upon the proposed Federal Union of the Provinces will not fail to obtain the attention due to a question involving considerations so important.

We thank your Excellency for informing us of the gracious manner in which Her Majesty was pleased to accept the address on the Inter-Colonial Railway, and we will consider the correspondence had by your Excellency with the Imperial Government and sister Provinces, and the report of the delegation to England on that interesting subject.

It affords us much satisfaction to learn that the Railways have been completed to Windsor and Truro.

The promised information concerning these works will obtain our careful examination.

We are gratified to find that your Excellency has become personally acquainted with several portions of our country, and that it is your intention to continue and extend those visits which cannot fail to be a source of satisfaction to the people over whom your Excellency has been called to preside.

We are glad that your Excellency was enabled to visit the St. Peter's Canal, and will bestow due consideration upon the report made by your direction.

That the Hospital for the Insane is so far completed as to be now in operation, is a source of much pleasure, and we trust that, although it has heavily taxed our resources, it will be attended with commensurate usefulness.

We desire to express our thankfulness to the Divine author of all good, for the abundance with which the labors of the husbandman have been blessed, and sincerely regret the destitution caused by the unproductiveness of any portion of so important a branch of our commercial industry as the fisheries.

It is satisfactory to know that the deficiency in the Revenue has not been considerable, and that the prospects for the future are encouraging.

In the necessary appropriations for the public service, we will not lose sight of the paramount importance of sustaining the credit which Nova Scotia has justly attained, by making due provision for all our liabilities.

The accounts of past expenditure and current estimates will receive our careful consideration.

Our best attention will be bestowed upon such measures as may be brought under our notice during the present session.

Mr. Caldwell seconded the motion.

Hon. WILLIAM YOUNG said, I presume the usual course will be adopted on this occasion and that the answer to the Address will be allowed to remain on the table until to-morrow; this has been the usage here for many years, and is the more necessary on this occasion, that we may have time to recover from our astonishment at the brilliant promises disclosed in the speech, and the

numerous comprehensive, and valuable measures which Her Majesty's Administration have prepared for our deliberation and approval.

HON. ATTORNEY GENERAL moved that the system of Franking adopted at the last Session be continued. Passed *nem con.*

HON. ATTORNEY GENERAL said it was in the knowledge of the House that the gentleman who had previously occupied the position of Chairman of the Committee of Supply had been removed during the recess by death. He would suggest, therefore, to the Hon. leader of the opposition that he should nominate some member to supply his place, as it was usual to appoint Chairmen of the Standing Committees from diverse sides of the House.

At the suggestion of the Hon. Mr. Young the consideration of that question was postponed until Friday.

The House then adjourned until three o'clock to-day.

FRIDAY, February 4.

The House opened at three o'clock.

On motion of Mr. Ruggles the House proceeded to consider the Address.

Mr. Martin J. Wilkins said,—I do not rise, Sir, for the purpose or with the intention of raising any objections in a formal manner to the Address, my object being merely to keep myself right in reference to certain expressions contained in the second and third clauses of His Excellency's speech.

The hon. member here read the second clause as follows:—"I am happy to inform you that your address to Her Majesty on the Inter-colonial Railway was very graciously received."

On reading this it would be supposed that the address to the Queen, on the subject referred to had been acquiesced in. Her Majesty is as superior to all others in politeness, amiability and the virtues which adorn the human character as she is in majesty and dignity, and therefore, Sir, she never returns a direct negative to the humble petitions of her loyal subjects, but invariably puts them off as she has done on this occasion. When her ministers advise acquiescence in the prayer of a petition they convey the answer in direct terms—and distinctly enunciate the course which she intends to pursue. Of this mode of procedure we have had many recent examples, therefore we are not to infer from the expressions I have just quoted from the despatch in answer to the address, that at the time it was written her Majesty's ministers had in any way altered their minds in respect of the Inter-colonial Railway or intended to deviate from the course pointed out in their despatch of the 15th January, 1858—wherein they, with reluctance inform the Colonies that such was the condition of the finances of the Empire that it was impossible her Majesty's government could recommend it to Parliament.

The third clause reads as follows:—"The correspondence with the Imperial Government, Canada and New Brunswick, which induced me to send a Delegation to England, will be submitted, with the Report of the Delegates, for your information." On this clause I will at present make no observation, but I shall content myself with simply stating that I do not concur in its accuracy.

I merely refer to this to put myself in a position to prove hereafter that I have not acquiesced to it.

This is all I have to say as regards the speech, but while on my feet I shall ask the indulgence of the House, if they will favor me with the opportunity, briefly to explain my present political position. It is known to all the senior members of this Assembly that I was born in the very Camp of Conservatism, and if not actually born there, that I have borne arms in the ranks of the Conservative army ever since I was able to shoulder a musket, and therefore it is not likely I would be found deserting from its standard at this day. In view of my present position and the state of parties in this country, I am satisfied that nothing would justify me in so doing; but that on the contrary I should be guilty of baseness were I to leave my own party and unite myself with those to whom I have always been opposed. Having followed the standard of Conservatism thus far, I would no more think of abandoning it than would a grenadier of Napoleon's old guard of deserting the Eagle of his regiment. Therefore, Sir, I remain what I have always been—a consistent Conservative. I have always expressed myself violently opposed to political tergiversation of every description; and it cannot be supposed that a man having reached my mature age would rashly or hastily pass over from the one side to the other; the parties in this house are too nearly assimilated on political questions to permit this without discredit and disgrace. It seems rather paradoxical, but is nevertheless quiet true, that the nearer two political parties approach each other in sentiment and opinion, the more difficult, or rather impossible is it for any member to change sides, without ruin to his political reputation. There are occasions I admit, when secession from a party may be justified, but it can only be when important political measures, involving the welfare of the nation, state or people, divide the parties, and the individual who secedes is sincerely and conscientiously convinced that the party he was acting with has been in error in matters of such vital importance, it then becomes not only his privilege, but his duty, on discovering his error, instantaneously to unite with the other party whose views he has discovered to be consonant to the true interests of the public. In such a case a public man is not only justified in leaving his party, but is bound to do so as a man of honor and a patriot. In illustration of this view history affords us several examples; this we all know—that Sir Robert Peel, who for 30 years led up the great Protectionist party in England, having at last become convinced by the persevering arguments of the advocates of free trade, and his own experience of the manufacturing and producing interests of the nation and its general commerce—that his views were erroneous, abandoned his party and lent his aid and co-operation to the introduction and establishment of the principles of Free Trade. As another instance when in this country the great question of Railroads was first introduced by the present Opposition, several individuals of that party being conscientiously of opinion that the immense expenditure required for their construction would create a burdensome and unmanageable public debt, refused to act with their then political allies, and with great

credit to themselves, came over to this side of the House.

No great questions separate parties now,—the opposition is divided from the government side of the house by an almost imaginary line—so that no man can walk over from the one side to the other pleading strong state necessity;—and therefore, if he did so it would be obvious that he had not been impelled by a sense of public duty, but had been attracted by the allurements of office, profit, or ambition. In this view of the subject, it is impossible that I could desert the standard under which I have fought with pleasure, and ally myself with those to whom I have ever been opposed. If any gentleman of the other side under present circumstances were to come over to this side of the house, I should consider him a disgrace to our party,—and were I to cross over to the opposition, both I and they would be equally disgraced,—I because I had deserted, and they because they harbored a deserter.

Having recently found it necessary in my own judgment to throw up my office of Solicitor General together with my seat in the Council on the ground of what I considered public duty, for surely I cannot be suspected of having done so for pleasure; the office being the legitimate, just and natural object of my ambition, through which I might attain to the head of my profession—and it was with sorrow I parted with it,—I think I have a right to demand that those who hear me, whatever they may think of my prudence will have respect for my motives,—and I have also a right to expect to be believed when I assert as I now do that if the opposition, who have not solicited me to come over to them, and to whom I have never tendered my services—were to offer me the best office in the gift of the government on condition that I should join them the offer would be indignantly refused.

I shall be excused, if in conclusion, I indulge in one or two self-congratulatory remarks. I have always acted the part of a consistent politician. I remember not long since, that the hon. member for Windsor in his usual playful manner, when commenting on a remark that I had made to the effect that there was nothing in nature that did not change, observed that he could not altogether agree with me, as he knew that there was in *rerum natura* an individual who never changed pointing to myself. (Laughter.) Now, sir, I have in the course of my political life received many little gentle castigations at the hands of that hon. gentleman, but when he made that declaration, I can assure him he gave complete compensation and satisfaction for every sin he had ever committed against me; and, sir, so opposed do I still continue to change, that were it not for a little hoarseness, and the decorum necessary to be observed in this august assemblage, I should now lift up my voice and sing that beautiful verse of a well known song—

“They bid me seek in change of sides  
The charms that others see,  
But were I in a foreign land  
They’d find no change in me.” (Laughter.)

Hon. WILLIAM YOUNG rose and said.—It is my intention, Mr. Speaker, to move an amendment to this clause of the address, which is so significant in its character as to call for an expression of opinion from both sides of the house. With a

view to the public interest, I think it better that the opinions and feelings of the members of this house should be ascertained in the inception of our proceedings, and therefore, it is, sir, that I have taken this, the Parliamentary mode, of testing them. The hon. and learned Attorney General, during the last session of the Legislature, complained that desultory attacks were made on the government, and challenged us to come down with a direct resolution of want of confidence; it was not then advisable to do so; but I now mean to invite an expression of feeling from both sides on that subject. The amendment I design to move will open up the whole field, and the result will shew what the sense of this house really is on a question of such vital importance to the province generally.

Having only determined to move the amendment I hold in my hand, late last night, I might say early this morning, but little time was left for reflection; nor do I purpose occupying the time of this house with a very elaborate speech, but shall rather follow the course pursued by the hon. Attorney General in 1857—who, in introducing a similar motion, contented himself with stating the heads of his attack, without entering into detail, giving rather the conclusions of his mind than the reasons which led to them. The speech—which I beg leave to refer to, in its constitutional and parliamentary sense, is not that of the Governor, but of the administration, by whom it is framed, and who are responsible for its contents—it is certainly a most remarkable production. Any man who carefully and honestly considers it, could not pronounce it to be the speech of a strong government—conscious of its position in this country—and commanding the respect of a majority of the people; and, sir, while it is my determination now, as heretofore, to abstain from indulging in anything savoring of the personal rancor and malignant bitterness, which characterised the debates of last session, I cannot help saying, that in itself, the speech plainly indicates the deplorable weakness of the administration.

In the speech of last session our attention was directed to one measure; on the present one the administration have not ventured to commit themselves even to one—there is a perfect blank. Not merely is the speech non-committal in part, but as a whole. It is true that in the closing sentence the house is informed in the stereotyped and unmeaning phrase that its attention will be invited to several useful measures,—of what nature, relating to what questions, we are left entirely in the dark. It is a speech, then, giving no promise of Legislative action—indicating no policy, and is not, I presume, intended to be followed by the introduction of any important measures. Such a course would lead any observing and reflecting mind inevitably to the conclusion that the administration, even in their own minds, have ceased to command the esteem of this house, as I believe they have deservedly lost the respect of the country. What has occurred since the last session? Hants and Colchester have unmistakably spoken out and recorded their opinions adversely to the government. Does this fail to impress on the listening ear of the country the conclusion that the principles of the opposition are gathering day by day new strength? Is not the language which those large, influential constituencies have so openly spoken, intelligible to

every man? Does not the government feel its significance and value? If not, how comes it that the vacancy in the Legislative Council, occasioned by the death of the late Mr. Harris, has not been filled up. Fortunate was it for Mr. Creighton that he did not represent a constituency, for the administration would not dare to test their strength in any Protestant county in the province by an election. I understand that there is an amusing and characteristic race now running in Kings County. Three B.'s have started for the place; which of the three will win the day, is as yet problematical. (A laugh.) It may be that the result will be an election for that county. That, sir, I believe to be the real difficulty in the way of an appointment to the vacant seat. In other words, the government are afraid that Kings will speak out as Colchester and Hants have spoken. In a late *Punch* I perceive a most laughable and sarcastic sketch; four persons are assembled round a table, engaged in the amusing Christmas game of Spadragon—Lord Derby, Mr. D'Israeli, Lord John Russell, and Mr. Bright—each eager to touch the dangerous morsel—each afraid. Which of the three B.'s of Kings will represent the Bright of the House of Commons—which will snatch at, and burn his fingers, to gain the prize? In the meantime it is a fact that the vacancy in the Legislative Council remains unfilled—an exhibition of the vacillate and trembling fears of the government.

We have just listened, Mr. Speaker, to a speech from the late Hon. Solicitor General, the exact meaning and scope of which will be gathered from his subsequent political action. But sir, the extraordinary spectacle which the administration presented, drawn from the public documents, to which I am justified in referring, since they have been made public in the *Royal Gazette*, is indeed unprecedented, either in Imperial or Colonial history. And, sir, I challenge the members of government to extract from either source an excuse for their conduct to their late colleague. I defy them to produce a case where an Executive have stamped with such an act of reprobation one of their own associates, who had been honored with an appointment to one of the Crown offices. Let them shew me, if they can, a case where after a councillor has withdrawn from a government his colleagues ventured to charge him with the violation of his oath as a councillor—a crime for which, had he been really guilty, the Executive would have been compelled either to dismiss him instantly, or would themselves have participated in the offence. And, sir, in taking the course they did, I think I am justified in saying that the Executive perpetrated an act which the people of this country will never endorse.

Again, sir, the administration have by their treatment of James R. Forman, forfeited the confidence of the people. For months have the government indulged in a style of remark and criticism on the conduct of that gentleman unjustifiable in the extreme. I have watched for several years his public conduct and can unhesitatingly aver that a more honorable, conscientious man, and I believe that one more competent to the performance of his duty as an engineer could not have been selected. He well and skilfully performed his public duty, but, because he could not support the present administration, he was summarily dismissed from his office, and, subsequent-

ly, pursued with a raucour of invective, altogether unprecedented. It is alleged that many of these attacks proceed from a member of the administration, for the life of me I can hardly believe it, and I trust that he to whom I allude will rise in his place and purify himself from the imputation.

Upwards of £900,000 of public money has been spent in the construction of our railways. The annual interest upon which exceeds £50,000. Is it not indispensable then that this great public work should be managed with accuracy and skill? Does not our very existence, our independence as a Legislature, depend upon this? and what, sir, is the condition to which we are now reduced? Where is the master mind to regulate and control this large expenditure? In the conduct of an extensive mercantile concern, it is indispensable that there should be one controlling mind to preserve order and regularity in the machinery of business; and yet, in the conduct of our railway affairs, we find three distinct authorities, not harmonising with, but contending against each other—the chairman not enjoying the confidence of the engineer, the engineer acting independently of the chairman, and the superintendent differing from both. So it is believed outside, and I fear there is too much truth in it. What results have ensued from this anomalous and incongruous system? Do we not see blunder after blunder, misfortune after misfortune, following thick and fast on the heels of each other. Trains creeping along at the rate of ten miles an hour, and yet disasters occurring so often that public confidence is shaken in the road, and passengers are afraid to travel the line.

Have the administration yet realised the financial condition of this country; the recollection of the famous financial statement of last year, is still fresh in our recollections, and I wait with much curiosity for that of this year. In view of this straightened condition of our resources, where, I ask was the necessity or excuse for the dismissal of an engineer, who, received but £937 10s., and the appointment of one at the rate of £1500,—saddling an additional £600 upon the resources of the country for no beneficial object, for it must be admitted on all hands, that the engineer appointed by the present government has but carried out the plans of his predecessor, and that too, in some instances, without having made the necessary alterations which Mr. Forman contemplated.

Other dismissals of a most extraordinary character have been made since the Legislature last met; for the first time in the history of this Province has the principle of political proscription been applied to a Judge—(a Judge of Probate it is true, but still a Judge.) Is it not patent to all who hear me that the late John C. Hall, Mr. Creighton, and others, held the position of Judges of Probate while they opposed the administration of the day, and yet, sir, the government took no steps—attempted not in the slightest degree to interfere with their right of private judgment on public questions. By the introduction of an entirely new principle, the hon. Mr. McCully, a member of the Upper Branch, a Judge of Probate, is singled out, and summarily dismissed from his office. Why was this done. It was purely on political grounds, for not a whisper has been uttered impeaching either his ability or his integrity as a Judge.

Who is there that does not recollect the denunciations which the dismissal of a Sheriff called forth from the opposition of which the hon. Attorney General was leader. And yet, sir, within the last few weeks, a Sheriff has, for some trumpety charges, of the nature of which I am not sufficiently cognisant, been ejected by the present government from his office. Mr. McLean enjoyed the esteem and confidence of all parties in the county of Cumberland, yet he is wickedly and unjustly sacrificed at the bidding of a small section who have rent the Conservative party in twain.

Sir, it was the misfortune of the leaders of the present administration, when in opposition, to forget that they might one day return to power. English statesmen are always controlled by the wholesome recollection that the accident and changes of parties may place them at the head of affairs, in which case they would be of necessity compelled to carry out their principles. For this reason, sir, although the government might have been defeated on that pet measure of the hon. Attorney General—the Maine Liquor Law—at the last session, I forbore to commit myself or my party to a principle which we did not believe to be sound. Sir, with my present impressions, the best office in the gift of the government would not have tempted me to desert what I believed to be a religious and moral duty, and ignore the policy I had conscientiously pursued. How different is it with the hon. and learned Attorney General;—suddenly he becomes convinced that a measure he had so long advocated and supported with the utmost favor requires an airing,—the bill is dropped and we hear of it no more.

But, sir, allow me to say that the misfortune and the weakness of the late government was the eternal, irritating and undue pressure of the Catholic body. I adhere to the political principles which I announced in the session of 1857—“Equal rights to all classes and creeds, ascendancy to none, proscription to none.” On behalf of the Liberal party, I emphatically deny that they desire, or purpose if they had the power, to proscribe the Catholic body or refuse them their legitimate and fair claims. But, sir, when the Catholic body grossly abuse their position—when they seek to assume a higher stand, and exercise a wider and more extended influence than that to which they are legitimately entitled—when eight or ten members have the power (and exercise it) of moving in a body across the floor of the house, and defeating an administration, because they do not obtain a Speakership for this, or a Financial Secretaryship for that co-religionist—it becomes the duty of Protestants to curtail and confine their influence within fair and proper bounds. When the Protestant members of this house were asked to perpetrate a double job—for I can designate it by no other term—in one and the same session, for the members of one and the same family, and a section of their supporters stand behind to enforce the demand, then indeed, sir, the time had arrived when some action should be taken to confine the Catholic power within just limits. To the operation and effect of that influence alone is to be attributed the dismissal of Mr. Forman,—to the pressure brought to bear for that end the government weakly and criminally yielded.

Now, sir, I see by the speech that questions of the largest interest and value are about to be

submitted for the consideration of the Legislature. The question of a union of the Colonies, one of the most important ever presented to a Colonial Legislature, for the first time comes before us in an official shape. If indeed, sir, we are to have a Federal and not a Legislative Union of these Colonies—if the Canadas are to be divided, and that extensive and fertile region lying between Lake Superior and Red River to be erected into new dependencies, and these with the Lower Provinces to form one grand confederation, then indeed we are called upon to deliberate on a subject of the largest extent. To frame such a measure—to propound and carry out a great question of intercolonial policy, requires a strong government. That we have not at this day an Executive that can safely be entrusted with such a power must be apparent to every man who views carefully the state of public opinion—who knows that the mind of the people has undergone a thorough and complete revolution. So, sir, with the Intercolonial Railway; that question also requires a vigorous, able and strong government to carry it out.

Now, sir, with respect to the delegation allow me to say, that although I do not wish to refer personally to the gentlemen appointed, yet, sir, I do think that if the men whose capacity for public business best suited them for the performance of such a public duty had been chosen, the two who were appointed, would not have been the men. We have heard that the Parliamentary experience which the hon. Provincial Secretary wants was to be supplied by the hon. and learned member for Sydney. Some parts of that experience, perhaps, he might have been better with out.

Mr. HENRY,—I agree with the hon. and learned member for Inverness.

Hon. Mr. YOUNG,—That portion of the hon. gentleman's experience to which I refer, was in the session of 1857, when he deserted and abandoned his party, and violated every rule of political morality, and every principle of honorable obligation. I would have blushed to my inmost soul to have done what the hon. gentleman was not ashamed to do. Sir, had he not interrupted me, I should not have uttered this opinion, but it is my opinion and I am ready to defend it.

In conclusion, sir, I stated at the opening that I did not intend to address the house at any great length; it will be for the majority of this house to declare in the face of those constituencies, whose ratification of their acts they will soon require, whether this imbecile, tottering administration—powerless for good but all powerful for evil, should longer continue to misgovern the country. I now beg leave therefore, without further preface, to move the following amendment to the Address:—

“But in view of this and other questions of the largest magnitude, which will come before Parliament for their deliberation during the present Session, and of the policy of the recent delegation, we deem it due to your Excellency respectfully to declare that the constitutional advisers of your Excellency do not possess the confidence of this House, nor of the people we represent, and that a change in the administration has become indispensable, for the vigorous and faithful prosecution of the public works and business of the Province.”



Hon. ATTORNEY GENERAL said:—The hon. member for Inverness, at the opening of his address, complained of the shortness of time allowed him for the preparation of the speech he has just delivered. It cannot be said, sir, that I occupy a better position—but I do not feel that I should discharge my duty to this house and country were I to allow his speech to remain unanswered—or permitted the belief to exist for a moment in the mind of any hon. gentleman who hears me that it required time to reply to the charges he has preferred against the Administration—and upon which he founds his amendment to the address. The hon. and learned member said he trusted that the course pursued on a former debate would not now be followed, and the debate brought to an abrupt conclusion by the application of a rule of this house. He need have no apprehension on that score;—the action of the Government to which he alluded grew out of the peculiar circumstances of the case. The then Lieut. Governor of this colony had given notice that he was about to leave the province, had only held the reins of government until the arrival of his successor. The steamer which was to convey him from our shores was hourly expected—and therefore the Government thought that to delay the answer to a speech from the throne, couched in terms affectionate and kind, until a debate, which it was evident would be protracted, had terminated—would be a discourtesy to his Excellency; hence the course adopted—but the hon. gentleman was then challenged to come down with a resolution embodying his views after the address had passed, in which case it was openly stated that we were prepared freely to discuss their public acts and policy. But, sir, the course then pursued forms no precedent in this case; yet although the government do not shrink from any discussion, I hope the good sense of the house will curtail the debate within reasonable and proper bounds.

The hon. and learned leader of the opposition has pointed out a long catalogue of supposed governmental sins—connected with subjects on none of which is this house in a position fairly to pass—because the information from regular and authentic sources—necessary to the formation of an accurate opinion upon them is not yet before the house. Almost all his charges were based on surmise and supposition only; substantiated by bald statements, unsupported by a title of proof.

The only thing of a positive nature to which the hon. gentleman referred in a somewhat *ex cathedra* tone, was the weakness of the government. He avowed that the executive was exceedingly weak both in the House and Country, and was growing more and more so every day. In this statement we cannot fail to perceive the reflex of the hon. gentleman's own opinions, colored by his own desires and feelings. I do not wish rudely to disturb his dreams; let him enjoy the beautiful but illusory visions of hope—the pleasures of fancy and imagination; it would be cruel and unkind to interfere with a pleasure so innocent and harmless. But yet, sir, it must not be supposed, here or elsewhere, that his fancy picture is a truthful one. He says, the want of confidence felt by the people in the government is oozing upon him through every channel of public opinion—that he breathes it in the very air—inhalates it as he would some very pleasant kind of laugh-

ing gas. (Laughter). While he was speaking I could not help thinking that he might be likened to one of those sweet and fragrant flowers which draw all sustenance from one ingredient in the atmosphere, and that I might also be represented by another flower supported by different nutriment. (Laughter) We both flourish—he on his food, I on mine—though that which conduces to the well being of the one, is of a directly opposite character to the viands used by the other. Is it wonderful, then, that we should entertain diverse sentiments. He thinks the government weak—wanting in public confidence—losing ground daily. I believe the administration to be strong in the confidence and affections of the people—and growing stronger day by day.

That we are strong in the house, is believed by the hon. member himself, for he asks us not to enforce a rule of this house, arbitrarily to shut out debate. That the government have no power to do unless they are sustained by a majority. But he believes in our administrative weakness, because two elections have been run, one in Hants, the other in Colchester, and that in both cases members have been returned supporting the opposition. Sir, there would indeed be some truth and justice in this view, if either of these counties had formerly been represented by a supporter of the government. Not so: the late Mr. McLellan and the late Mr. Dimock were both opponents of the administration. In what, then, is the opposition stronger or the government weaker? Not an iota has either gained or lost. The hon. gentleman has, then, no grounds for congratulation, because the opposition held their own and were not beaten on their own ground. He says that we do not fill up the vacancy in the Legislative Council, because that would necessitate an election for Kings. I am free to admit that such is the reason; the government believe that to make that appointment now, and put the people of Kings to the trouble of running an election, would be an inexpedient and improper exercise of the discretion vested in them.

I have no observation to make on the resignation of the late Hon. Solicitor General; I presume that question will come before the House when hon members will be in a better position to judge of the merits of the whole case than they now are. So also with the dismissal of Mr. Forman; the information necessary to a thorough understanding of the reasons which led to that act is not before us. I shall therefore follow the hon. member's example and deal with that question in general terms. He claims Mr. Forman to be a man of talent and skill, to whom the country is greatly indebted for beneficial services performed; I look upon him as an officer wanting in knowledge and skill, and believe that incalculable injury and loss has resulted to this country from his incapacity and want of experience and judgment. He thinks that Mr. Forman is a man so impeccable in character that he cannot and should not be attacked. Does he not know that in this respect Mr. Forman was dealt with kindly, considerately, leniently,—and had he been content to act with judgment, might have left his office without observation or remark. What did follow was drawn forth by Mr. Forman himself, who rushed into print and compelled publicity of those damaging statements made against him. After his dismissal he indited and published a letter against the government,

containing charges so unfounded—so utterly false and untrue, as to stamp Mr. Forman as a man entitled to no credit whatever for veracity; and, sir, when the whole subject is before the house, from testimony the authority and truth of which it will be impossible to doubt—but little ingenuity will be required to shew that again and again have assertions been made by Mr. Forman with a most reckless disregard of the real facts. Therefore it is in vain for the hon. and learned leader of the opposition to delude himself with the idea that Mr. Forman can be made out to the people of this country a martyr of the government. In transferring the management of the Railway from him to the gentleman who now fills the office of Chief Engineer, the administration did an act which has largely benefited this province, and the effects of which were instantaneously felt and acknowledged. The hon. gentleman asks would Mr. Forman have been dismissed had he been a Catholic? and states as the reason for his discharge that he belonged to the Protestant Alliance. I tell him that it mattered not what his religion was, he would have been dealt with in precisely the way he was; and that there never was a greater untruth uttered than that his connection with the Protestant Alliance led to his dismissal.

The hon. gentlemen next referred to the Railway. That question also, I will pass by as one of the subjects which cannot be investigated, or even referred to, until the facts are fully before the house; but, sir, it is quite apparent that the hon. gentleman in describing the condition of that work, drew largely upon his prolific imagination, and labored industriously to destroy public confidence in this great work; in this he but followed the course of the organ of his party, which, while those who conducted it well knew that if once the impression went abroad that the road was unsafe for travel, the public interests would be largely injured, teemed day after day, with exaggerated statements distorted occurrences, and positive untruths, all for the purpose of damaging the work.

His reference to the financial condition of the country I also pass over; when the proper time comes, the government will be prepared to justify their acts, and sustain their financial policy.

He condemns the government because they dismissed a Judge of Probate, but the hon. gentleman is quite wrong in averring that any different principle was applied to Mr. McCully, from that which the members of government always entertained and expressed. That gentleman would not have been dismissed for the exercise of his political privileges, provided he did so within the bounds of propriety, but when he saw fit to violate the decent restraints which the office should have exercised on him, he put himself beyond the pale of the principle which the government still avow as portion of their public policy.

The case of Sheriff McLean to which the hon. member referred, fully illustrates the impropriety of the course pursued by him, in referring to questions before the whole of the facts were before the house. He said the charges which led to the dismissal of Sheriff McLean were trumpery. Had he been acquainted with the real state of the case, he would have known that the charges which were fully substantiated against that officer had induced the judges who investigated

them fully to concur in the propriety of his dismissal.

The hon. and learned leader of the opposition also referred to the Maine Liquor Law, and in tones of virtuous indignation declared that nothing would induce him to violate a principle he had once propounded. Sir, I think this house will agree with me in opinion that he gave us a strange example of his consistency last year when he organized the forces of his party and used his best endeavours to obstruct the ratification of the agreement entered into by the delegates with the Mining Company for settling that *verata quitioc* the Mines and Minerals, though I acted on the policy he had himself announced to this House and Country as sound and just.

That I did not support the Maine Liquor Law bill last Session was because I had every reason to believe that the same members who destroyed the bill in 1856 and 1857 would do so again in 1858. Had I felt less clearly and strongly than I do the duty I owe to the temperance cause, I might have attempted to carry the bill last Session, but I well knew that all efforts in that direction would be vain and ineffectual. The hon. and learned leader propounded the policy which he intends to pursue with respect to the Catholic body. He says his object is to curtail and restrict their power but in the same breath disclaims any intention of proscribing them.—Do the Catholics at this hour exercise any undue influence in this Country? Do they not stand on the same political platform occupied by the Protestant. Do they possess a single political privilege that is not shared by the Protestants of this Country? If not the hon. gentleman can take nothing from them, can restrict their influence in no wise, without placing them in an unfavorable position with respect to their Protestant brethren. He cannot restrict the political influence of the Catholic without taking away from him some privilege or immunity which the Protestant enjoys. In fact sir, he cannot restrict without proscribing them.

He gave us a most singular reason for the course he has adopted, and said that the change which took place in 1856, having been brought about by the Catholic body, decided him to pursue it. I had always been led to believe that those changes had their origin and birth in causes very different to those, to which he attributed them. But whatever the cause, the Catholic body only exercised their undoubted political rights in transferring their support from one party to another. The hon. gentleman, in view of the questions of the Union of the Colonies and the Intercolonial Railroad, could not have been serious in his disapproval of the Delegation. Surely, sir, it was wise and proper that the government should leave no stone unturned to obtain the Imperial assistance towards the construction of the railway; and when the delegates from the neighbouring Provinces of Canada and New Brunswick were about to visit the mother country, charged with the duty of explaining to the Imperial government the Colonial requirements on these questions, would it have been wise to allow them to go home unaccompanied by delegates from this province, because if we joined in the delegation the immense sum of £600 would be drawn from the Treasury? He, however, not only finds fault with the delegation, but with the delegates, and thinks that others could have been

found more competent for the work than the hon. Provincial Secretary and the hon. and learned member for Sydney. This, however, is a mere matter of taste; for my own part I do not believe that two men could be found who would better have sustained the Colonial character for intelligence and ability, as well as appearance (laughter) than my two hon. friends.

Now, sir, I have briefly run over the speech of the hon. member; and have answered. I believe fully all the charges preferred against the government; and if, sir, the hon. gentleman's speech was a good one and mine a bad one, I have the satisfaction of knowing that our positions are reversed, as my cause is a good one and his a bad one. Therefore, sir, I do not consider it worth while further to occupy the time of the house in answering arguments which carry with them their own refutation.

Hon. Mr. Howe said:—I feel, Mr. Speaker, that after so long an absence from the Province, without having regularly read the newspapers of the day, and of consequence being unfamiliar with the transactions which have transpired in my absence, that I am not prepared to engage in this discussion, with any hope of doing justice to the subject. Perhaps, sir, could my own convenience have been consulted, I might have preferred that the right of the Opposition to move an amendment to the Address in answer to the Speech, should have been waived. But at the same time, sir, this House and country well know that the constitutional opposition have no confidence—never have had—

Hon. Atty. General—And never will have:

Hon. Mr. Howe—And I take it for granted never will have, in those who now administer the public affairs of this country. (Laughter.) To declare this want of confidence, is, perhaps, our first duty, and since an amendment has been proposed, and we are called to its discussion, I feel that to give a silent vote would scarcely comport with the position I occupy in this country.

The hon. and learned Attorney General seems to congratulate himself that the people of this province are with the Government. I differ widely with him upon this point. Time will tell. That administration may have in this house a majority prepared to vote down this resolution; I take for granted he has. We know the gentlemen who form the Government too well, not to be convinced that no sense of weakness—no deference to public sentiment, will induce them to abandon office till driven out, down to the very last moment. We all saw the death-like tenacity with which the hon. and learned Attorney General clung to it in former times. He will follow his own example. But yet, sir, as representatives of the people, having the well being of this country entrusted to our charge, it becomes our primary and paramount duty to re-state and reiterate as often as possible the arguments upon which we hold the present government unworthy of support. The Attorney General asks what we are going to do with the Catholics? Let me tell him;—we desire to show to that body, in this country, that they are not the omnipotent dictators they assume themselves to be. We intend to teach them that there is within the confines of Nova Scotia sufficient Protestant feeling to curb that overweening spirit which has for some years past been manifested with an utter disregard to the interests and feelings of the

great mass of the population. Sir, the old Council of twelve was less intolerable than the combination of Catholic Priests, and it is the avowed purpose of this opposition to overturn that body. That body had grown up as one of the institutions of the country,—its members were nearly all protestants, most of them were wealthy with large connections and families throughout the land,—but yet Novascotians would not submit to be ruled by that old Council, because it evidently occupied a position above immediate and effectual popular control—and a party sprung up which in the end succeeded in putting it aside. If, Sir, we would not submit to be governed by that body, in which each member acted upon his own individual responsibility—independently—shall we support a condition of public affairs by which the Protestants of the country are to be kept divided—that eight or nine Catholics, dragooned by a foreign ecclesiastic, shall at his beck and bidding walk this way or that, across the floor of this house, and make or unmake an administration in an hour. Is that responsible government? Sir, I for one, as a Novascotian, have taken my stand against the exercise of any such power by any Bishops or body of Priests in my country. After a twelve months mature reflection,—after having calmly weighed and considered the course pursued by myself and those hon. gentlemen who acted with me at the last session of this Legislature, I come back to this house more settled in my conviction of the propriety of the course we pursued, and now fully impressed with the belief that our public conduct meets the approbation of this people.

Sir, I do not desire in the few remarks which I intend to make at this stage of the debate, to say one word which may seem like personal unkindness or unfairness. For many of the Catholic gentlemen in this house, perhaps for all in the private relations of life, I entertain high respect. But I felt and knew too intimately the necessities of their position, and the arbitrary nature of the power brought to bear on them to alienate their support from old political friends to be for a moment doubtful as to the nature of the spiritual influences to which they yielded, and which have convulsed this country to its very centre.

Whether the government were or were not justified in turning out a man here or there—dismissing a Judge of probate or cashiering a Sheriff—are questions which though important in themselves, sink into utter insignificance beside the one great question which the members of this Legislature and the people of this country have kept and will keep ever present to their minds until those spiritual influences which disturbed the regular course of administration, and outraged the Protestant feelings of Nova Scotia are controlled.

I have felt, sir, and still feel, that though we may discuss this question here, it properly belongs to a body of men, who elsewhere, I am glad to perceive, are making their voices to be heard, and their power felt. The Protestant Clergy of Nova Scotia will fight this battle. It is theirs even more than ours. If Priests, holding their commissions from Rome, interfere in the public affairs of this province, herding their flocks at elections, and denouncing public men, Protestant clergymen are bound, for their own safety

and the security of their flocks, to counteract and neutralise an influence pregnant with evils, the nature and extent of which we can even yet in this country scarcely comprehend. When last session these Ministers began to move, they were scoffed at and maligned. Who now can mistake the character of the movement, or doubt that there is a general uprising of the Protestant element, that promises ample security for the future. I do not expect to effect any change in the relation of parties during the present session; but I look hopefully forward to the time when the voices of the Protestants in this country will be heard, and when they will make their power respected.

The hon. Attorney General talks of proscription. I ask him who I have ever proscribed—whom would I ever proscribe? But, sir, I will not permit, so far as my influence goes, that a strange Priest should come here, and, by guiding, controlling, and commanding seven or eight Catholics, nullify and render powerless the whole Protestant influence of this country. I believe we shall see the day in Nova Scotia when the Protestants will stand here in a position to proscribe none—to do wrong to none, but to maintain their own authority to uphold their own rights.

Sir, I have been absent from the Province during the past summer. I have looked at the public proceedings as a man looks through a telescope, and perhaps may not fully appreciate all that has transpired;—but when the Attorney General tells this House that the Government are not affected by Catholic influence, I bid him turn his attention to one or two prominent facts in refutation of his assertion. Until the last summer, sir, I did not believe that the flag of our country would be ever so profaned and disgraced by any set of men as it has been by the present administration. I never thought to see a Government in Nova Scotia which would pay to a Catholic Ecclesiastic, the honours awarded only to the dignity of Princes of the blood. I never imagined that any Government would be hardy enough to pay the same tribute of respect to the memory of a nominee of a foreign potentate, that should only be accorded to Royalty. If it be true that the British flag was lowered, and the public offices closed, in honour of a person who for six years never paid any respect to the Queen's Representative—who when that flag was sore beset, gave it no support—whose organ rejoiced in its humiliations—whose house was shrouded in darkness when it waved over Sebastopol, then indeed have we reached a depth of humiliation sadly to be deplored.

I desire to see all sects, all denominations, all classes in my country, treated with the consideration to which they are fairly entitled. I desire to see representative institutions fairly worked by and for the benefit of all, but I do not desire to see a comparatively insignificant minority of the population so banded and wielded, as to peril the interests and outrage the feelings of the great majority.

The Attorney General tells us that we won the seats for Han and Colchester, which were ours before. But mark the significant facts connected with these elections. We saw as if by magic, that the Catholic electors in those counties almost

to a man, went against their old associates; but what then,—there were good sturdy Protestant Conservatives enough to neutralise their votes, and give majorities to the Opposition. I might dwell on some details of those contests, but the hour is late, dinner time approaches, and I do not wish to detain the House with many additional remarks.

The first paragraph of the speech alludes to the Union of the Provinces, and about six months ago we were told that delegates had gone to England to arrange that great question. I smiled when I saw the announcement. Those who arranged the union of the United States, did so deliberating in the very heart of those States; the question caused solemn and protracted debate among the able men assembled from all parts of the Continent to consider every point proposed. I smiled, I say, when I heard that a delegation of eight or nine gentlemen were going to England to arrange there a Confederation of the Provinces. I do not undervalue the talents of the gentlemen employed, and I by no means envy them their position; but if they went 3000 miles away from the country whose interests were to be dealt with, there to arrange a confederation, then I consider that they went on such a wild goose chase as gentlemen rarely engage in. The subject could not be properly dealt with by any half dozen delegates on that side of the water. When these Provinces are confederated, their great interests must not be transferred to London, but must be discussed here in the heart of British America, where they are understood, and where sufficient skill exists for their wise adjustment. If there were a disposition to entrap delegates into hasty and unwise conclusions, there might be policy in drawing gentlemen to London,—but if there were a desire to discuss and settle fairly, that was not the place for deliberation. For the consideration of the question, however, we will be better prepared, when the papers are submitted, and the particulars are understood.

Concerning the Intercolonial Railway, we are told that with reference to that important project the delegation was chiefly required. The late Solr. General, however, has settled that question, by satisfactorily proving, that the Home Government had given a negative to the proposition, before the delegates left the Province. They have come back, I presume, with about as much information as they had before they went. I do not undervalue their individual ability; I am not disposed to prejudge their conduct as delegates; I am aware how delicate are the duties of persons so placed, and I suppose they went on an errand which they considered of useful character,—and that they discharged their duty to the best of their ability,—but whether they were the best representatives of the country, I do not now express an opinion. They would find greater fools in London than themselves,—they have had some public training, and no doubt represented the province without making any holes in their manners. On all these points, I wait till the papers come down, and we have the means of judging fairly.

As to the speech. Signor Blitz when he came forward to bring a lot of live rabbits out of a box, was in the habit of saying, "here is one little box, and nothing in it,"—so I say, here is one

small speech and nothing in it. I do not say that the document has been drawn up in a spirit of evasion, for I feel convinced that the gentlemen opposite had nothing of consequence to put in that State paper. I do not believe the gentlemen opposite have the leisure or the capacity to prepare any very grand measures; at all events they have not announced them. As regards the subject of Temperance, which has been referred to in debate, I think when a man is in favor of a great moral reform, he ought to continue so, and ought to advocate its advance when in power; if he did so in opposition. If I believed in the sentiments which the Atty. General has uttered on this subject, if I held the opinions which I have heard him avow, over and over again,—no official position, no title, no salary, no temporary power would induce me to abandon the Maine Liquor Bill, till I had carried it out, and made it the law of the land. If he had taken his position on the old Temperance measure, if he had declared that he would stand or fall by it,—if he stood thus before the men of the country who were in favour of that measure, he would appear, morally and politically, incomparably higher than he now can ever expect to do, in the estimation of those who believed in the efficacy or the practicability of that reform.

Respecting Railway affairs, I know that it is very difficult to discuss them satisfactorily here, until the papers are down; I postpone consideration of them, therefore, until the documents are here. One word as to Mr. Forman: I do not appear as the advocate of Mr. Forman, I am not here to justify all his engineering acts and conduct, but this I may say, that I believe if he had made ten blunders for every one with which he is charged, if he were five times as incompetent as he is assumed to be, and belonged to the right church, and to the right party, he would be in charge of the Railway works to-day. The moment I saw a document from the Protestant Alliance, with the name of James Forman, senr. as chairman, I knew that his son was doomed; when his son's name appeared among the committee of that society, I knew the perils he was running. When, after all efforts made to induce those gentlemen to say something that would put Professor King and other members of the Alliance in a false position, they would not, I then understood the peculiar position Mr. Forman occupied; and we all understand it now. Those who never forgive, who are determined to put down every attempt to curb their power, doomed Mr. Forman, and doomed he was, as far as a man could be, by being turned out of office, and not spoken very handsomely of when he was out. We are not called now to discuss the correspondence which has appeared in the papers, we will have it hereby and by, and then more ample discussion may be appropriate. I believe, however, that if James Forman were the pliant submissive tool which he might have been if he were not of honest independent spirit, he would not have been turned from office, and I think that the great majority of the people before whom the subject has been for months discussed, entertain the same opinion.

Concerning Sheriff McLean I do not even know on what charge he was dismissed. But I understand that he has been turned out without hearing or trial, which according to the doctrines

propounded by gentlemen opposite, he ought not to have had, without an opportunity afforded to prosecute the person who accused him, and who, as is alledged, had slandered him, and which action I understand, he is about to commence. If he has done wrong, if he has had a fair trial, he may have been deprived of office properly; but if that be so, it is contrary to the opinions of a large body of the people of his own country, men who entertain the highest regard for his character.

In reference to Mr. McCully's dismissal, I may remark that he was dismissed on the very principle which gentlemen opposite declared to be most unsound when they were in opposition. What more did McCully do than Barry Dickey did, when I was a member of Government? Did he not follow me about, and oppose the policy of the administration at every step, and do all he could to overturn the government of which he was an officer? He had the right to do so. We fought the battle as gentlemen. But what more did McCully do? He went to the election of the county of Hants and made a speech there, and his dismissal followed. After that I presume a new rule will be adopted, and that we will have either to follow the American system of turning all from office when a change of government takes place, or that the legislature must step in to limit the prerogative,—and the way in which the government has been conducted may lead to the latter remedy. Mr McCully may have done something more than Mr Dickie, Mr Hall, Judge Dodd, and others, who opposed the government of which I was a member, but if so I am not aware of the fact.

I feel, Mr Speaker, as regards this opening speech of the session, a little humiliated, that such a thing should go abroad as emanating from my native country. It may not be of much consequence who surrounds the Queen's representative, but it is of some importance that a nobleman trained in the House of Commons, sent here as the head of the Government of the Province, should not be asked to put his name to a document that will carry to British America strange evidence of the value of that training, and of the utter incapacity of his advisers. I am bound to hold the government answerable for that speech, and I only know of one other document, on the records of the Province, which will do so little credit to the intelligence of the country. It is the only opening speech, so far as I know, in which not a single measure is announced. I ask, where is the Elective Council Bill? the Representation Bill? the Temperance Bill? the Municipal Counties Bill? All the great measures with which the Attorney General has distracted this country for the last ten years? They should be here, to be aired for a while at least, but it is not so.

I could not but smile when the Attorney General compared himself and the learned leader of the opposition to two flowers. The comparison may be appropriate, but when I look at their wintered locks and venerable aspects they look to me very like "the last roses of summer." (Laughter.)

Hon. FINANCIAL SECRETARY.—Mr. Speaker—I do not intend to answer the remarks of gentlemen at this late hour, but as we have been treated with one of the usual speeches of the member for

Hants, in which he has referred to everything but the subject under consideration, I am induced to occupy a few moments; I might let that speech pass, but for one remark. I allude to the attempt to pull down the Royal prerogative, and the assailing of the Lieut. Governor's speech by a side wind. Swift, I think, says that "some delicate people have dirty minds," and I may add that some suspicious people have very bad minds. I did not expect to hear any man holding a respectable position in the country, venture to affirm, after the explanations which have been given in the Press, that the flag of England was degraded on a certain occasion last summer, while he pretends at the same time, that he has not a word to say against the Lieutenant Governor. Every man knows that if any flag was lowered on a private building, that to the gentleman owning that building do the terms apply which are used in reference to the act spoken of. I will never allow such aspersions to be made against any one who represents the Queen, without answering it here, or wherever it is uttered in this loyal country. One word as to allowing Catholic priests to dictate to the Province; that was, in effect, the cry raised against my own church. Who fails to remember when to the Bishop of the Church of England was applied terms of contempt, and almost every Episcopal clergyman was treated similarly in the columns of a newspaper which now happens to be on the other side? I recollect when the name of Episcopalian was almost enough to drive a man from the doors of Government House, when it almost incapacitated any one from holding an office under government. The cry raised then and now is similar. I felt much then, and I will stand by any sect against which an attempt is made to array the popular prejudice, in consequence of the exercise of religious freedom. I felt all that when my own Church was assailed, when the Windsor College was assailed. Some of the men who supported Conservative views on the subject then, were Roman Catholics; Laurence Doyle left the House again and again, because, as he said, he would not participate in such injustice. I recollect that the Catholic body stood by me in those difficulties, and I will stand by them in theirs; they did not desert my cause, and Heaven may desert me when I desert them. (Applause in the larger gallery, which was promptly checked by the Speaker and officers of the House.)

MR. TOBIN.—I do not wish to occupy time at this hour, but a few remarks now may tend to lessen debate, and save time at a later period of the session. When we recall the circumstances of 1856, in reference to which the Roman Catholics are blamed for overturning the government, —the public mind will not fail to recollect that the member for Windsor was the immediate cause of that overturn. We were a little astonished at the difference which took place then, between him and his old friends, those who aided him for 20 years in carrying the important measures which he attempted. The Catholics did so aid him, as could be proved by the journals of the Assembly, until within the last two or three years. The hon. gentleman speaks to-day of dragooning by a foreign ecclesiastic, because eight or nine gentlemen, when a difficulty took place between him and his friends, voted contrary to his views. The

gentleman alluded to was not a foreign ecclesiastic he was entitled to the protection of her Majesty, as was any other of her subjects.

Hon. Mr. Howe.—In using the word I did not mean that an Irishman was not a native subject, —but I had reference to that gentleman's commission coming from Rome, from a foreign power.

MR. TOBIN.—During the Crimean war, and the enlistment question, that gentleman was in Europe; —when the difficulties took place between the member for Windsor and his friends, —he was in Europe. It was two or three months after the Crampton meeting, that his Grace, the late Archbishop, arrived in Halifax; he was afflicted with sickness, and so continued until he departed this life. I remember the difficulties that the liberal party had in 1856; measures were stated in the Speech of that session, and the document was assailed by the member for Windsor openly, in every part of the City he denounced it.

Hon. Mr. Howe.—You are quite wrong there.

MR. TOBIN.—I am not, —you will have opportunity to reply, and I wish not to be interrupted. The Educational measure was a topic of the speech; did not the hon. gentleman assail that? I believe he was the means of it not being carried. We know the love that existed between members of the present Opposition at that time. When the agitation of 1856 brought about the overthrow of the government in 1857, it was supposed that the member for Inverness and his Catholic friends could not get clear of one another, and the effort to drive them together, and to obtain support from the other side, caused the overturn of the government. That was the position. The member for Inverness stated that his embarrassment, his weakness, was caused by his connection with the Catholics.

Hon. Mr. Young. I said, by the pressure.

MR. TOBIN. Yes, the pressure! What did the hon. gentleman say in 1857? —that there was no such pressure. (Mr. Young. No.)

MR. TOBIN.—Look to your speech made at that time. Looking back to the history of those transactions, we may see that all the difficulties that arose grew out of the agitation alluded to. If pressure complained of, existed, how could all the useful measures of which we hear have been carried? Would not the Conservatives have prevailed, if the other party were embarrassed by pressure? It was from the disaffection of the Catholic body that the one side became weak, and the other strong. If the gentlemen with whom the Catholics are now politically associated feel any undue pressure brought to bear on them by the Catholics, if any dismissals from office have occurred on account of connection with the Protestant Alliance, I invite them, as men of honor, to proclaim it to the country, and I will be prepared to take the consequences. Let them say at any time that undue pressure interferes with the conducting of government, and then we will invite gentlemen of both sides to combine for the public service. I now say that if Mr. Forman were not connected with the Protestant Alliance he would have been dismissed before he was. If influence were used on that question, it was to go on —and if possible to finish the road at the time desired; by no means to dismiss Mr. Forman, for it was known that his dismissal would be associated with his

connection with the Protestant Alliance. I have no objection to gentlemen making any combinations they please. The country is free, and I do not see what any religious body has to lose or gain by the question of who leads the government here. The institutions are free, and every man is eligible according to his ability, for public office. The speech made by the member for Windsor was a good electioneering address, but as regards the policy of the country it has no practical application. He avers that he has no personal ill-feeling on those topics. I believe he has not: I observed on many occasions, although we differ here, that that is cast aside, and if he be away from petty local influences, he meets his fellow-countrymen with a warm heart, and is glad to see any one belonging to the Province. I do not consider the agitation going on a religious agitation, and I regret to see gentlemen of great ability, men whose superiors you rarely find in other public assemblies, disputing and divided about comparatively trifling matters. The truth is, the field is too small for their ambition and ability. I would be glad to see a union of the Provinces, that a wider field might be provided for the talents of Nova Scotia; that public men may have something to aspire to, and not find their minds prostrated by small political considerations. The question which now really occupies attention, is that of the few offices which are held by members of government. Let a change of patronage take place, and the political question would be settled, and the religious question also.

SATURDAY, February 5.

HON. PROVINCIAL SECRETARY.—Mr. Speaker, I intend to follow the precept which I am glad has been given in this debate, to avoid any expression which would be calculated to arouse angry feelings. If, in the excitement of the moment, I should deviate from that course, I hope that the house will extend the same consideration to me, which it usually accords.

The Attorney General, sir, seemed to think that the leader of the opposition was premature in inviting discussion at this stage of the public business, and proposing a vote of want of confidence, before the papers were on the table, touching the charges brought against the government. I rather differ from the leader of the government in that opinion, and think that the leader of the opposition exercised a wise discretion; because, if he had waited for the public documents explanatory of the acts complained of, he would not be in a position to make such a motion at all. If he had not anticipated such explanations, and the means of judging fairly, the refutations would have been found so complete, that the house would scarcely listen to discussion on the subject. I think that that gentleman availed himself of almost the only opportunity which the session will allow of making such an appeal—I do not say to the judgment of the house, for gentlemen opposite intimate that they do not expect the adoption of the vote to result from the arguments they advance.

The honorable member has charged us with weakness, averring that we have no policy;—and infers that, from the fact that no great measures are proposed in the opening speech of the session. It ought to be in his remembrance that when he came down at a former period, sustained,

as he claimed, by a majority of 16 or 17 members, he did not invite the house to the consideration of any great measure, except one on Education. Several weeks of the session elapsed before that was laid on the table; it only remained there for a short time; it was withdrawn by the honorable gentleman, and since then the ambition of his own party seems to have been, to disavow any participation in that measure. It is true he promised a number of small measures, which were never submitted, sustained though he was by an efficient working majority. The change of government which ensued in 1857, gave a working majority to the party now in power,—but instead of this Assembly coming to the consideration of questions with the large statesmanlike views which prevail elsewhere, the government was met in a spirit of hostility and faction, almost unparalleled. What is the position of the present government in great Britain? The government there, not only has to discharge important duties concerning the home dominions and their dependencies, but it carries on immense wars, and largely influences almost every part of the civilized world. That government is known to be in an actual minority in the House of Commons, and by a hostile vote could be at any moment defeated. But they are not met by a spirit of faction, and the public business is duly attended to. It is not there as unfortunately it is here, that seats on the Treasury benches are of such consequence to public men, as to induce parties too often to forget what is due to the country, in considering their own immediate interests.

Two elections, which returned members to the opposition benches, have taken place recently, and it is inferred from that, that the government is weak. I admit that if any influence which I could have exercised would have prevented the return of the gentlemen who now fill those places creditably, that influence would have been used. In the two counties alluded to, the opposition had strong claims; and if the government could carry those, the misfortune might be expected to result, of the disappearance of a constitutional opposition. Since the formation of the present government, eight elections have taken place, and six out of eight have been carried by the government. The returns spoken of affect no change of parties in the house; where then does the hon. gentleman find the weakness which he asserts, except it be expected that the government shall not only maintain its ground, but wrest every seat that is contested, from their opponents?

The opposition are able to go into the counties of Hants and Colchester, and say that the policy urged and forced on the country by them had drawn from all the people £60,000 per annum, to be expended for the benefit of those counties. I ask can the opposition who carried that policy, which I believe to be a gross injustice to the whole population of the Province,—which embarrasses our resources and deprives remote constituencies of their fair share of the public money, can they, under these circumstances, plume themselves so highly on retaining those two seats?

We are taunted with not submitting great questions to the consideration of the Legislature. I ask, sir, whether the spirit of faction in which every thing proposed by the Government has been met, does not warrant the Government in coming here and asking this house to transact

the necessary business of the country, and with due despatch terminate the session, and let the people decide at the polls upon the policy that they wish pursued and the parties by whom they wish the country should be governed?

Did not the opposition here last session show that they were determined to oppose their own previously recorded views, as in the case of the Mines and Minerals question—the Elective Council Bill and everything else?

Have not the organs of the opposition strenuously opposed the equalization of the representation based on population, although it originated with themselves, has been advocated by their leading men, and proposed here by the editor of the *Morning Chronicle*?

Why, sir, the leading members of the opposition even refused to serve on an important committee of this house last winter, when large claims were preferred for public money. Is this an Assembly, with an opposition so factious, to which important questions should be submitted, and the session wasted in useless discussion?

Reference has been made to a vacancy in the Legislative Council, and it seems that the government are so amply sustained by persons of character and ability, that it is difficult to decide among many claimants, so as to satisfy all. Some think it may be the intention of the government to elevate to the other Branch one of the members now here. Where then would be the excuse for convulsing the county referred to, without any immediate necessity, before a general election, so close at hand? I would suppose that if any act of the government were calculated to please gentlemen opposite, it would be that such seats were left unoccupied, so that the opposition might, should they attain power by any chance, have an opportunity of supplying the vacancies.

A certain minute of council has been called unparalleled, and I am sorry that the unpleasant duty was ever devolved on the Government to pen that document; but I will be prepared to justify it when necessary, although I refer to it with feelings of any thing but satisfaction.

The leader of the opposition, less cautious than the member for Windsor, has rather committed himself as the advocate of the late Chief Engineer. He referred to statements made by the press against Mr. Forman, and invited members of government to rise and explain, expressing a hope that they would be able to say that they had no connection with the articles alluded to. One of the most unpleasant duties ever forced on the government was the removal of that engineer. It was well known that the government as a whole, when it came into office, had had no share in initiating those public works—that they had mostly been opposed to their commencement. When called to discharge the duties of government, what were they to do? Were they to imperil a great work, or carry it on as best they could? We had only one course to pursue. Who are more deeply interested in the success of the Railroad than those who conduct the public affairs of the country? Does not the hon. gentleman know that no weight presses so like a mill-stone on a government as embarrassment in financial matters—and that if they cannot grapple successfully with that, they must be prepared to go to the wall? In that spirit we

took up the Railway policy, endeavouring, under many difficulties, to carry it forward.

It was heralded through the country that this great work, with everything else, would be placed in the hands of its enemies, and destroyed. How were these predictions realized?

A gentleman drawn from the ranks of the late government, and possessing the highest character of any man in it for business talent, was placed at the head of the Board, and two gentlemen who stood high as men of business, and who had acquired experience there from the commencement of the work, were reappointed to assist in carrying out the Railway policy of the late government, and rendering it as successful as was possible. I do no injustice to the member for Inverness, by saying, that Mr. McNab did enjoy the position in the minds of both parties, of being second to no one at either side, as a judicious business man. The chief engineer was also retained, although it was felt that great injury had been done to the Province in selecting Mr. Forman, and intrusting the expenditure of a million of money to the hands of a man who, whatever his natural talents were, had only limited experience in attaining the skill and knowledge requisite for such an office. One of the chief charges made against the government is that £1500 a year is paid to the present engineer. What does Mr. Forman say? That he came to the Province with the expectation that he was to obtain from £1,500 to £2000 a year sterling; and that he would have scorned to accept £937 10, if he had known that that was all he was to receive. With that testimony, it is obvious that the difference between £500 and £1,500 is not worthy to be named. It is indispensable that a properly qualified engineer should be had, of course at the lowest rate such skill can be obtained.

I am not going to say whether I do or do not occasionally employ a leisure hour in correcting wrong impressions placed by the press before the people. If I did, I might I presume quote illustrious examples from the other side. But, in justice to the *British Colonist* I may say, that I have read carefully the statements which have appeared in that paper concerning Mr. Forman, and, from my own knowledge, I believe the public documents will sustain every word of them.

If there is a question on which the opposition should avoid embarrassing the government, it is that of the Railway policy. The effort should be to make the best of that on which, in the situation of the country, so much of our weal or woe depends. I regret that the opposition have not met this question in the spirit which the late chairman of the Board manifested, when he retired from it. It has been said, that there are three discordant authorities in the Railway office. There may be differences of opinion, but nothing to interfere with the public business, so far as I know, between the Board, the engineer, or the superintendent. The opposition, however, have always pretended to be better informed on Railway affairs than any one else. The member for Windsor says, that if Mr. Forman had been the pliant tool of the government, he would not have been dismissed; I fear that if the term is to be applicable to Mr. Forman, it must refer to his connection with the opposition. The leader of the opposition intimates that he is afraid to travel on the railroad. He tries here to damage that work by infusing dread



concerning it. I may remark, that in this country, where the changes of temperature, present such difficulties to Railway operations, I look on it as almost miraculous that tens of thousands have travelled on the road without loss of life to any passenger. The hon. gentleman may not be very courageous, but with such evidence of safety, I would have supposed that even he would venture. At one of the short curves of the road, the principal travelling engineer lost his life, during the management of the late government; yet no man in this house brought such a casualty forward, as a means of infusing dread into the public mind, and preventing the use of the road.

The hon. gentleman referred to the finances of the country, in the same vague way. It is just as well that he anticipated in that also, the production of papers. Will he be sustained as worthy the confidence of the people on that subject?

The hon. Financial Secretary, at the last session of the Legislature, brought in his budget, shewing that when the other public services were provided for, nothing was left for the road service. The organ of the opposition boasted that Mr. Howe, Mr. Young, and Mr. Archibald, proved to the Assembly that they might safely vote £20,000 for that service, without making any special provision for it. The public documents when produced, will show that these great financiers were as much astray in their calculations on this matter as they are in everything else, and that we need not go to that side of the house for information on questions of finance.

The hon. member for Inverness intimated that the removal of Mr. McCully was the first case in which a Judge of Probate was dismissed on political grounds. I may refresh his memory a little. He will find that, because a Judge of Probate simply gave his vote for my friend from Shelburne, he was dismissed, although there may have been some other trumpery charge, to use his own expression. It was admitted that political causes compelled an act of injustice to that Judge. But is it not patent to the world, that so far from the present government dealing with that officer on political grounds, the member for Colchester went down and opposed a member of government without dismissal resulting. The Judge of Probate for Halifax was not dismissed for political reasons, nor for going to an election, and so far forgetting his position both as a Judge and the station he occupies at the other end of the building, as to appear on the hustings to oppose the government in a county where he did not belong, but it was for conveying the impression, when called upon as a man and a lawyer to vindicate the Judges of the land from aspersions concerning the reprieve of a criminal, that Kennedy had not been executed because he was a Catholic.

Mr. McCully well knew that the commutation of sentence was effected by the Judges, and he thus assailed the very fountains of Justice, and attempted to degrade the Bench of our country in the estimation of the people.

When the minute of council under which that gentleman was dismissed, and which he has not seen fit to publish, is laid on the table, this will appear.

The non appointment of Mr. McLean as Sheriff of Cumberland is also brought by Mr. Young against the government, and I would not have alluded particularly to that subject at this time,

had not the *Morning Chronicle*, with its usual disregard of facts, sent to-day a statement to the country on that matter, which, if they know anything about it, they know is entirely at variance with the truth.

They anticipated the facts in order that their misrepresentations may make an impression on the country, before they could be controverted, and in the hope that the imposition thus practised may operate in quarters where the refutations will never be seen.

Unable to bring anything discreditable against the government, the opposition are obliged to rely entirely upon misrepresentations, and give as truth to the country that which is only the creation of their own imaginations.

Had Mr. McLean been superseded without any charge and without a hearing, the opposition would have had no ground of complaint, as it would have been in accordance with their own example.

In defiance of the Conservative party in this house, they passed a law taking the appointment of the Sheriffs from the Judges, to whom it properly belonged, as the Sheriff is especially their officer.

The law requires that the Chief Justice and a Judge named by him shall agree with a committee of two members of the council upon three persons, of whom the Governor shall appoint one.

When Mr. Howe was defeated in Cumberland he declared publicly before he left the hustings that Sheriff Chandler should be turned out of his office, and he kept his word. No charge was brought against that officer—no hearing was given him; but contrary to the wishes of the two judges who had his name placed at the head of the list, he was superseded by the government, and Mr. McLean appointed in his stead.

When the appointment of Sheriffs took place, after the present government came into power, the committee of council, true to the doctrine that has ever been held on this side of the house, yielded to the committee of Judges, who were unwilling to remove Mr. McLean, as he had given satisfaction in his office, and he was reappointed.

When in England I received a memorial from nearly two hundred of my constituents, requiring the displacement of Mr. McLean. That memorial was never even acknowledged by me, nor did I write a line on the subject to the Government, as I would have sacrificed a dozen seats rather than yield to anything in the nature of a threat.

I returned here expecting to find that Mr. McLean had been re-appointed. Such was not the case. The government and the Chief Justice had been memorialized to supersede Mr. McLean on the ground that at the instance of a friend he had threatened to arrest a Mr. Hunter on an execution, unless he gave up to his friend a horse which had been exchanged, and that Hunter refusing, he had arrested him, and that the execution was not issued until some hours after the arrest.

It was stated that the prisoner came to deliver himself up the following morning, having been allowed that time upon parole, that he went to Mr. J. S. Morse, who held the judgment against him, that Mr. Morse said he had given no instructions to issue an execution, and directed his release which was granted, that Mr. Hunter then went to the Prothonotary of the Court to ascer-

tain if any execution had been issued, and at what time, and that the Prothonotary told him the execution was issued near dark, the night before, being the twenty-seventh day of August.

Mr. McLean was called upon by the government to explain this matter, when, instead of admitting that he had committed an indiscretion, he made an affidavit that he had the execution signed, by the Prothonotary, in his hands at 5 o'clock in the afternoon, and he obtained and forwarded the affidavits of his friend at whose instance the arrest was made, and of the son of his Jailor, being the clerk of the latter.

The government were satisfied, upon a deliberate review of the whole case, that the complaint against Mr. McLean was true, and that it had been met by falsehood. On the one side there was the disinterested statement of the Prothonotary of the court, (who has the misfortune, it is true, to be my father-in-law,) made to the prisoner on the morning after he had signed the execution, and before he knew why the inquiry was made; and on the other, the testimony of a man who conceived his office depended upon the result,—of an Attorney, whose position was in danger, and his clerk, a boy under the influence of the Sheriff's Jailor and his master, and these statements made months after the transaction took place.

When the committee of council met the Judges, they stated frankly their convictions, and the Chief Justice thought it right that Mr. Morse, the Prothonotary, should be called upon to verify his statement by affidavit.

This was done; and the committee of council, consisting of the Hon. Attorney General and myself, agreed before meeting the Judges that if they did not consider the charge against Mr. McLean sufficiently sustained, and insisted upon his re-appointment, we would yield our own views to their wishes, and place his name at the head of the list, as it carried out the principles we had ever advocated.

After the Chief Justice read the affidavit of the Prothonotary, in which he testified that the execution was issued about dark, and that he could not be mistaken, as he had been obliged to light a candle immediately after, in order (according to his invariable practice) to enter it in his book, he, the Chief Justice, declared that with the testimony of a disinterested witness before him whom he believed, and who swore positively and circumstantially, shewing why he could not be mistaken, he could never consent to recommend Mr. McLean, and that he would not sign a list with that name upon it. I would now ask the honble. leader of the opposition if he calls these trumpery charges? I would ask the hon. member for Windsor if he considers this discharging a man without a hearing; and I would ask the Editor of the *Morning Chronicle* if he calls that coercing the Judges, or if he can look without shame upon the untrue statement with which he has forestalled the testimony upon this subject, by sending misrepresentations so gross to the country.

I now come to the taunt of the honble. leader of the opposition on the question of the Prohibitory Liquor Bill.

Sir, if there is one subject upon which it especially behoves the hon. member for Inverness to be silent, it is that,—if there is one subject which the leading members of the opposition, and the

press supporting them, should blush to mention, it is that.

In the infancy of the temperance reform the hon. Attorney General became connected with the temperance organization in this province.—Step by step he advanced with the men who were engaged with that great moral reform—shoulder to shoulder he fought the great battle with them, until success in this assembly crowned his exertions, and a prohibitory liquor bill passed this house. In the Upper Branch it was defeated by the exertions of leading members of the present opposition.

The question was again submitted to the country, and a majority of this house again affirmed the principle of the bill. Mr. Johnston on that occasion obtained the support of every member of his party, with the single exception of the late Solicitor General. It was carried by them with the assistance of a few members supporting Mr. Young's government.

How did that hon. gentleman demean himself? Having strongly opposed the measure, he yet declared that he would give it fair play, but so soon as he found a majority in favor of it, he induced the members of his party, who had solemnly pledged themselves to their constituents to support the Maine Law Bill, first to absent themselves from this house, and when that did not destroy the measure—to cross the floor and vote down the resolution which but yesterday they had affirmed!

And yet, sir, in the face of all this—the elections in the country having shown that temperance men valued party more than temperance principles—with the degradation of broken pledges stamped upon this house, and the moral aspect of the question destroyed—with the fact patent to the world that this law from the same want of sincerity in its professed friends had failed in New Brunswick, and that they had been obliged to repeal it, the hon. Attorney General is taunted with having been false to temperance principles, because he would not consent to sustain the bill, after his confidence was destroyed that it would be effective or useful.

This house well knows that with but one exception all the leading men in the opposition have ever treated this measure with deadly hostility and ridicule. This house well knows that the organ of the opposition and its editor have ever declared their objections to the prohibitory bill, while Mr. Johnston and his friends through good and evil report have ever sustained the cause of temperance, and down to the present hour exerted themselves to promote it.

When first returned to this house, I came pledged to advocate a Maine law. I redeemed that pledge—but after what I had seen in my own county—the most violent advocates of temperance sustaining Mr. Howe who had ridiculed temperance—after what I had seen here on the part of men who came pledged to vote for such a bill—after what I had seen in New Brunswick, where it was tried, I came to the conclusion that it was useless to attempt to pass such a law—that instead of doing any good if passed, it would inflict deep injury by remaining a dead letter on the statute book, and that it was far better for the friends of temperance to turn their attention to such practical measures as it might fairly be presumed would accomplish some substantial good.

These views were frankly stated by me when I was re-elected, and were with equal frankness communicated by both the hon. Attorney General and myself to two of the leading temperance men in this city who concurred with us in the propriety of accomplishing all we could for the suppression of intemperance.

Sir, I hesitate not to say that more was effected in this house during the last session for the promotion of temperance than at any time during the past ten years.

The useless license law which encumbered the revised statutes was repealed, and an effective, stringent, and useful measure passed.

It is true that one of its most important clauses was violently opposed by the hon. member for Windsor, and subsequently defeated in the other end of the building.

The whole question of licenses was placed more under the control of the Sessions in each county than before, and twenty per cent. was added to the licenses to the distilleries and to the duties upon spirituous liquors of all kinds.

Yet, sir, notwithstanding all this has been accomplished since the present government came into power—the opposition who have to a large extent steadily opposed everything calculated to promote temperance, venture to assail those whose exertions have been constant and unflinching in its support.

I repeat, sir, that temperance is the last question that the opposition in this house should ever venture to name, and the organ of that body has been distinguished by its unwavering hostility to the prohibitory liquor law.

I must now congratulate the hon. leader of the opposition, upon having after a good deal of hesitation, come up to the mark and taken his ground in favor of the proscriptive principles held by the opposition. It is just possible that the hints which have been from time to time thrown out by the opposition party, that his services could be dispensed with, may have had some effect in inducing him to pass the rubicon, and declare that the object of his life will be to curb the Catholic influence, upon which he has throughout his public career rested for support.

He has told us that his government was destroyed by the "eternal undue irritating pressure of the Catholics, who grossly abused their power."

Now, sir, this is new to this house, as the whole tenor of the speeches throughout the constitutional debate of 1857, went to shew that it "was the sudden and fierce quarrel between the Catholics and the member for Windsor, that had produced all the mischief. The hon. gentleman's opinion that it would have been "a frightful job," to have placed the President of the Legislative Council on an equal footing as respects pay with the Speaker of this house, is also new as a reference to the debate of 1857, will shew that he then declared his opinion in favor of that which he now calls a "job," and it is not improbable that if any such request was ever made by the President, it was at the instance of the hon. member for Inverness.

In fact, the Protestantism of the hon. member for Inverness, as well as that of other leading members of the opposition, was made to depend entirely upon what the Catholics should do.

They were told plainly that if they would not "unmake the ministry," all would be right; indeed, Mr. Young said, that if enough of them

would vote to keep him in power, they should have fair consideration, but that if they all left him, he intimated pretty plainly it would be war to the knife.

Now, sir, I hold my Protestant opinions as tenaciously as any man in this country—I am as unwilling as any man can be, that any undue power should be exerted by Catholics or any body else. I am the representative of one of the most Protestant counties in Nova Scotia, and yet I am quite willing to go to the country on this issue, and let an intelligent people decide whether we shall, in this country, maintain the broad platform of civil and religious liberty, without respect to sect or creed, or whether the stronger shall combine to oppress and proscribe the weaker.

It may be the Catholics to day who are to be the victims, but once uproot the foundation upon which we all alike depend for protection, and tomorrow it may be the Churchmen, the Presbyterians, the Methodists, or the Baptists, who will have the misfortune to "unmake a ministry" and suffer proscription.

Mr. Young and the hon. member for Windsor says that 8 or 9 men must not have the power to "unmake a ministry."

Sir, I ask them, how, if we are to have an effective constitutional opposition in this house, they are to prevent any 8 or 9 men, be they of what creed they may, from going over and defeating a ministry who forfeits their confidence?

Is it not fresh in the recollection of the hon. member for Windsor, that the body to which I belong, although they recognize no "foreign potentate," nor have even an ecclesiastical head at all, unmade him when he attempted to combine the country against them in 1843, as he attempted with a like result the proscription of the Catholics in 1857?

Could not the Wesleyan Methodists in this house, now supporting the government, cross the floor to-morrow, if we forfeited their confidence, and leave us in a minority?

Does any man suppose, sir, that they would hesitate to combine and turn us out, if the Chairman of our Railway Board, through the press of the Queen's Printer, or any other high officer under our government, was daily engaged in arousing the worst passions of the people, and endeavoring to combine all denominations against them?

Sir, no body of Christians in this house can be successfully proscribed, and those who attempt to excite a war of creeds and emblazon the hated name of Proscription upon their banners, will miserably fail. If, sir, the Protestantism of the leaders of the opposition was not of ephemeral growth, commencing with their ejection from place and power, they would know something more than they appear to of the genius of Protestantism, the first principle of which is toleration in its most enlarged sense.

The newly found Protestantism of the Hon. Mr. Young and Mr. Howe savors more of the Protestantism of Sweden than of Britain. It is but the other day that the Protestant Alliance of England held the following language to the King of Sweden on the expatriation of his subjects, because they held Roman Catholic opinions:—

"One chief secret of our moral power lies in thoroughly carrying out our own principles, one

of the most prominent of which is the right and liberty of private judgment. It is incumbent on Protestants to concede even to their strongest opponents the same freedom of conscience which they demand for themselves."

On this great principle of toleration, the following remarks were made by the celebrated Rajah Brooke at a missionary meeting whilst I was in England:—

"I hold toleration to be the root of Christianity,—and without it, if you go tampering with peoples' religion and with peoples' feelings, and to promote that which you are convinced of yourself, if you injure your neighbours' feelings you had better be without Christianity at all; for it is the most sacred duty of Christian man, by reason and by charity alone, to work upon the feelings of his brother-man, however great they may esteem the errors in which that man may have fallen inadvertently."

The Earl of Carlisle, whose Protestantism is quite as much above suspicion as that of the opposition here, delivered these sentiments recently at a meeting of the British and Foreign Bible Society:—

"I feel sure that you will all be disposed to agree with me that even in India—even among those to whom we have been obliged to apply all the rough and harsh methods of punishment and conquest, even there we should not seek to introduce the priceless benefits of Christianity itself, merely by State influence and by actual compulsion. The word of God is too precious a thing to be made, under any circumstances, the subject of a bribe or threat."

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"But the spread of Christianity is not properly the work of any government as such; Christianity marshals her own votaries and marches under her own banners, and just as unbidden by any government you meet in this noble hall, just as unbidden and unpaid by any government, the Bible Society sends forth its Agents and colporteurs, and your Churches and denominations send forth their missionaries and teachers, so, asking nothing from any government, but a fair field and no favor, will the work, the God-like work, I had almost said, of evangelizing and Christianizing the heathen go on, relying on its own resources, and sufficient for its own victories."

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"For depend upon it, one of the faults which was most prevalent among us, and not less in England than elsewhere, was a want of real hearty toleration, and the Bible Society gave them an opportunity of getting rid of that very pernicious feeling."

We have been taunted, sir, with a want of loyalty and true British feeling, because we refuse to lend ourselves to the sudden and selfish impulses of men who, deprived of office, are willing to desecrate the name of religion by making it an electioneering cry.

Let me ask these people to inform themselves, not only of the opinions of the leading Protestants of Britain, whom I have quoted, but to expand their views and adopt the noble sentiments of our beloved Queen, as expounded on this subject in her gracious Majesty's recent pro-

clamation to her subjects in India—a people destitute of christianity and living in idolatry.

In this proclamation they will find these sentiments, which must forever preclude the mention of loyalty and proscription in the same breath:—

"Firmly relying, ourselves, on the truth of Christianity, and acknowledging with gratitude the solace of religion, we disclaim alike the right and the desire to impose our convictions on any of our subjects. We declare it to be our Royal will and pleasure that none be in any wise favored, none molested or disquieted by reason of their religious faith or observances, but that all shall alike enjoy the equal and impartial protection of the law; and we do strictly charge and enjoin all those who may be in authority under us, that they abstain from all interference with the religious belief or worship of any of our subjects on pain of our highest displeasure."

"And it is our further will, that, so far as may be, our subjects, of whatever race or creed, be freely and impartially admitted to offices in our service, the duties of which they may be qualified by their education, ability, and integrity, duly to discharge."

Here, sir, under the sign manual of Royalty itself, we have the foundations of civil and religious liberty laid broad and deep, and those are traitors to loyalty and to British principles who would endeavor to uproot and destroy them.

It has been asserted by the hon. member for Inverness that he was pressed and coerced by the Catholics, and I think that confession alone should prevent power being entrusted to such feeble hands.

I feel it due, sir, to the Catholic body to declare emphatically that the present government have never been subjected to any such pressure. Common justice to that section of our supporters compels me to say that there has not been any denomination in the Province who both in and out of this house have been less clamorous for office.

Nor does this rest, sir, upon mere assertion.—It is proved by actions that speak louder than words.

When the Government was first formed, we were assailed by the declaration that all the offices of the country—all the positions of honor or emolument, were to be handed over to the Catholics. The Chairmanship of the Railway Board, the Queen's Printership, the Crown Land office, in fact every thing was to be given up to them.—Well, sir, one Presbyterian was placed at the head of the Railway, another was appointed Queen's Printer, although there was a Catholic who had strong claims for that office, as his able paper had contributed not a little to enlighten the public upon the shortcomings of the late government. Mr. Grant was considered to have still stronger claims for past services, and he obtained that office.

After the *Morning Chronicle* had not only bemoaned the sad fate of the country, because, as they said, a Catholic was to be Crown Land Commissioner, but actually had obliged the Government with their counsel and advice to the effect that Mr. S. P. Fairbanks of all others would be the right man in the right place in that department, they found to their astonishment one fine morning that the very gentleman of their choice had been duly installed there.

Well, what did they do—give credit to the government for having done right for once by accident? Nothing of the kind. They proved their insincerity and utter disregard of Protestantism by coming out and saying that the government were giving the lion's share to the Protestants, and throwing the Jackall's to the Catholics, and endeavored to excite the very pressure from that body which they pretend to deplore.

They have the assurance to tell this Assembly that Mr. Forman would not have been dismissed had he been a Catholic, or had he not belonged to the Protestant Alliance.

Why, sir, do they forget that the only Catholic at the Railway Board was removed by the government or his services dispensed with, when those of a Wesleyan and a Churchman were retained to assist the Chairman who was a Presbyterian? Do they forget that the *Presbyterian Witness* with marvellous consistency taunted the government one week with removing Mr. Forman because he belonged to the Alliance, and the next, declared that a gentleman had been appointed to the Board because he was a member of the same Alliance—the true solution of all being, that appointments and dismissals were made with the sole object of advancing the public interest.

It is not long since the organ of the opposition in strong terms disclaimed, on the part of Mr. Young, any disinclination to favor Catholics. In the *Novascotian* of March 17th, 1856, we read this indignant refutation.

“But the crowning charge of all is that the Attorney General had objected to Mr. McKeagney being Speaker, on the ground that he was a Catholic. Need we say that this is a base fabrication, unfounded in fact and worthy of the men who, to gratify their malignant feelings against Mr. Young, would kindle the flames of denominational animosity and convulse the country with religious strife. No man was ever proscribed on account of his religious opinions by the Liberal party, from the first day that they attained power down to the present hour, and we have an abiding faith never will.”

And, sir, going still further back, we find that the opinions of the Hon. Mr. Howe have undergone a still more markable change. He asserts that the Catholics are everywhere the “enemies of liberty.”

I find, on perusing one of his very eloquent speeches to his former constituents at Preston in 1847, that he then held somewhat different views. On that occasion Mr. Howe said:—

“But then, you were told that I have turned Catholic and want to establish a Catholic ascendancy. That I am opening new roads through the Country to let the French Catholics in at one end of the Province, and the Irish at the other, to raise the Tankee flag and sell you all for slaves. (Yes—Massa Howe—they told us all that.) So I heard, but do the Donkeys who invent such stories ever tell you that, in all these Colonies, except Canada, the Protestants are four to one—that in the Northern States the Catholics are in a small minority; that in Nova Scotia there are but eight Catholics in the House of Assembly, but two in the Legislative Council—one in the Executive—not one upon the Bench.

“Where, then, is the danger of Catholic ascen-

dancy, either on the continent or in this country? No, my friends, this is a wicked cry, got up for electioneering purposes, by those who, having vainly endeavoured to buy and bribe the Catholics, as they are now attempting to buy and bribe you, set to work to abuse them. I have sat in the House for years, with the representatives of the Irish, the Scotch and the French Catholics of Nova Scotia, and I never heard one of them utter a sentiment savouring of intolerance, or knew them to desire any other privilege that was not to be equally shared by all other Denominations. But I went to Chapel on Patrick's Day—so I have turned Catholic. Well, they used to call me an Infidel, and I am glad that they have given me a religion at last. But, suppose I went to a Quaker Meeting, would I be a Quaker? (Laughter.) I have sometimes attended worship here, am I then a Baptist? Why, my friends, the people who circulate this absurd lie know better themselves. I went to Chapel on Patrick's Day, as I did when I was President of the Irish Society ten years ago—as Mr. Uniacke always did, who was the Conservative Leader for years—as his Father did, who was Attorney General, and a Protestant to the end of his days—as most Protestants have done, who have been members of the Society for half a century. If this is a political sin, I plead guilty. But, having gone, I confess to the still higher offence, in the eyes of the Tories, that I conducted myself as a Protestant gentleman ought. When the Catholic knelt and said his prayers in Latin, which I did not understand, I said mine in English, trusting that He, who understands all languages, would accept the prayers of both if offered in sincerity of heart.

“This is my mode of illustrating and propagating my religion. I have small hopes of converting Catholics by abuse, or of showing the value of christianity by violating the proprieties of life. But, why should you be taught to fear, and then to hate, your fellow creatures, merely because they are Catholics? When the Tories of England opposed the emancipation of the Slaves—when the Tory merchants of Halifax were making their money in traffic with the Slaveholder, what was O'Connell and the Irish Catholics doing? Advocating the cause of the Slave, and voting, with scarcely an exception, for emancipation. What have they done since? refused to receive Repeal rent from the Southern Planters, that their abhorrence of Slavery might be the more strongly marked.”

I will not offer any opinion as to whether Mr. Howe, in '47, or Mr. Howe in '59, is the most sincere. I suppose we must take it as Mr. Howe in office *versus* Mr. Howe out of office—and I will leave him to explain the difference in his sentiments, making but slight reference to that hon. gentleman, as he is not present.

I am very much afraid, however, that the opposition, unable to bring forward anything against the government—unable to show that they were unequal to the due discharge of the public business—unable to impeach either their integrity or capacity in the administration of the business of the country—have been obliged to get up this “wicked electioneering cry.”

There is, I confess, some excuse for them, they were so long in power, and able to tyrannize over the country, that they no doubt feel very

uncomfortable on the opposition side of the house, and look with fond desire upon the Treasury benches; and, sir, when they have sat as long where they are as the conservatives did, they will, I fear, feel a great deal worse—and we intend to keep them in the possession of the title they have chosen—the very appropriate one of “the opposition,” as long as we can, as they have earned it fairly.

As regards the question of a Federal Union, if the leader of the opposition had waited patiently until the government could bring down the papers and develop their action, he would probably have found that the course proposed would meet with the unanimous concurrence of this house, as with reference to a Federal Union of the Provinces, I presume there is but one opinion in this country.

I suppose I ought to be thankful at the moderation with which the allusions to the delegation on the Intercolonial Railway have been made.

So soon as we are in a position to submit the correspondence on that subject, it will be apparent that the government would not have dared to meet the representatives of the people, had they declined to act with Canada and New Brunswick, and send a delegation,—and that to England.

I will not speak of the qualifications of the parties selected, as I had the honor of being one, but hon. gentlemen opposite must not forget that we are not in a position to avail ourselves of their services.

On this matter, sir, as on every other, the government are prepared to shew that they have acted with a single eye to what they believed to be the best interests of the country, and nothing but what has transpired could have convinced me that any party could have become so steeped in the spirit of faction, as to be willing, not only to retard the advancement of the country, but to embarrass and destroy, as far as possible, the great work into which they deluded the Legislature to engage, and by every means endeavor to prevent the railway from being rendered successful.

Having now, sir, noticed—as briefly as I could, but at too great length I fear for the patience of the house, with which I have been so kindly indulged—the several matters touched upon by the previous speakers, I will conclude; but before doing so, must allude to the observations which fell from the hon. member for Windsor, to the effect that the flag of our country had been degraded by the government, and aged ministers insulted.

The only excuse I can offer for that honorable gentleman having ventured to make references to those subjects, which I presume no other member of this house would do after the explanations that have been given, is that he has been long absent in another country, where he probably was obliged to depend upon the *Morning Chronicle* for information concerning our local affairs, and had not the good fortune to be able to peruse the *British Colonist*—in fact received the bane without the antidote.

One of the strongest proofs of the recklessness of the organ of the opposition is to be found in the gross unfairness with which the Lieutenant Governor has been attacked in these instances, and their refusal to make the *amende* after a member of the government had publicly stated the

facts and that had been duly reported and given to the world.

When I went into my county last summer I was authorized by his Excellency the Lieutenant Governor to correct the misstatements which had been published on these matters.

At a public meeting I explained that the flag on Government House had only been raised half-mast high by the servant, in consequence of his seeing the other flags in the city had paid that mark of respect to the feelings of a large body of the citizens—that this act was unknown to either any member of the government or to Lord Mulgrave—that as soon as his Lordship, on going out into the grounds, noticed it, he reprimanded the servant and ordered the flag to be run up it being improper to lower the flag of the representative of her Majesty, except on the occasion of a death in the Royal family.

I also explained that the address of the Wesleyan conference, which was sent to His Excellency through the Private Secretary without passing through my hands, was replied to by Lord Mulgrave, and that no member of the Executive Council saw that reply until after it had been delivered to the Wesleyan Ministers.

That reply was couched in the usual terms of courtesy, used by his Excellency on similar occasions, and it was within my own knowledge that the intention of His Lordship was to treat that highly respectable body with all due politeness and consideration.

Now, sir, these statements publicly made by a member of the government were given through the press to the world, and I would like to enquire how low a party must sink, or how contemptible a press must become, before under such circumstances, it can degrade itself by endeavouring to excite hostility against a nobleman who all parties are bound to admit whilst he has given fair constitutional support to the advisers with whom you have surrounded him, has ever treated the opposition with courtesy and attention? Does not this prove indisputably, how unable the opposition are to find any just cause of complaint against those who conduct the public business of the country, when they are compelled to invent these fallacies in the first place, and maintain and re-assert them after they have been proved to be untrue!

What influence can a press hope to exert among the intelligent people of this country, when they thus shew that they are so completely lost to all regard to a spirit of fairness and justice, and that they are willing to circulate any slander, however foul, provided it will help their party?

I will now conclude, sir, by expressing the hope, that it will not soon be necessary for me to trespass so long upon your indulgence.

MR. ARCHIBALD.—In rising to make a few observations on the amendment, I congratulate the House on the improved tone of the present debate as compared with that which took place last year. Some observations of the hon. and learned gentleman who has just set down have deviated somewhat from the general tone which has marked the discussion, but I willingly ascribe this rather to the excitement of the moment than to any intention or desire on his part to introduce again the angry conflict of last year.

The hon. and learned Provincial Secretary says that it would have been wise in the leader of the Opposition to withhold his charges against the

government till the papers were laid on the table, which would form the materials for a sound judgment on their acts,—that he would then find the cause of the government so strong that the charges would not be hazarded. If the Provincial Secretary had not himself given us some of those materials, his case would certainly have been stronger, but suppose we try out one of the cases before us by the light he has just shed upon it himself, and take that as a specimen of how far the Government would be benefitted if this discussion had been postponed till the papers were brought down.

I allude to the dismissal of Mr. McLean, the late sheriff for Cumberland. The charge against him, as described by the Provincial Secretary, is that he arrested a person without at the time having a writ in his possession, and that he did so to serve a friend. Mr. McLean, it appears, denies the charge, and the question turns upon whether in point of fact he had or had not the execution in his hands at the time of the arrest. It seems that Mr. McLean swears he had the execution, the attorney who issued it swears to the same thing, and the attorney's clerk swears to it also. Their affidavits are contradicted by that of Mr. Morse, so that upon the Provincial Secretary's own shewing the sheriff is dismissed because credit is given to one man's oath, who is the father-in-law of the Provincial Secretary, though it is contradicted by that of three others on the self same point.

Hon. ATTORNEY GENERAL.—You are mistaken.

Mr. ARCHIBALD.—I speak only from the information just given by the Provincial Secretary, and I am quite sure the House will hear me out in my statements, that this is the history of the case as detailed by that officer.

ATTORNEY GENERAL.—The Provincial Secretary stated it was not the act of the Government at all.

Mr. ARCHIBALD.—That is a different question, I am now speaking of the grounds of dismissal, not of the authority that dismissed him. As to this point, however, I must say I was somewhat startled at the statement given by the Provincial Secretary in reference to the Chief Justice. I yield to no gentleman of the profession in respect for the venerable chief who presides over the Courts of Judicature, and would be most unwilling to call in question the propriety of any of his public acts, but I feel great difficulty in understanding how upon the evidence which was laid before him, he could come to the conclusion to sign no writ which contained Mr. McLean's name. We hear nothing indeed of what was thought of the matter by the other judges, and it does seem to me that after these details have been placed before the public, and the proceedings of a private meeting divulged in part, the public have a right to be informed of the whole, and then this House will be in a better position to judge what portion of the responsibility of this act devolves upon the Government and what upon the judges.

A large portion of the hon. Provincial Secretary's remarks referred to the speeches which preceded his own. I do not intend to follow him through this,—the gentlemen whose arguments he has impugned will have the opportunity of meeting him, but there are some other points of his speech to which I wish to draw attention.

The hon. Provincial Secretary vindicates the dismissal of Mr. McCully, but alleges it is not

on political grounds that that officer was removed. He goes further, however, and says that though the present Administration have not dismissed Judges of Probate from political reasons, it is not because they are without the example being set them by the late government. He gives as an instance a case that occurred in Shelburne. I believe this is the first time that that case has been referred to here. I have a distinct recollection of the circumstances. The question was raised by a memorial from the inhabitants of the county submitted to the government, and was not what were the political acts or leanings of the judge, whether he voted or spoke for or against a government candidate, but it was alleged that the judge and the Registrar were partners in one commercial concern, and he was removed because it contravened the policy which was adopted by the Legislature when the two offices were separated. It is absurd to suppose that the officers could be a check, upon one another, when they were partners in business. I presume there will be not much difference in the house or out of it as to the propriety of a dismissal on that ground.

The Provincial Secretary has spoken in very harsh terms of the character and capacity of the late principal Railway Engineer. When the papers connected with the dismissal of that officer are laid on the table, I presume that will be the proper time to enter minutely upon the charges brought against him by the Government. Still it seems to me that without entering particularly into that question there are certain general facts upon which the country may form some comparison between that officer and his successor.

I look at the road itself—the way it is managed—its present condition, and contrast it with what it was under Mr. Forman.

Last year when we were in session, we had the road half way to Truro,—the trains running twice a day, and at the rate of 20 miles an hour. Now we have it all the way to Truro, with its rate reduced to a pace scarcely equal to a stage coach. Why, sir, the other day a traveller for Halifax arrived at Truro after the train left. What do you suppose he had to do? To wait for the next train? No, but he employed a friend to drive him out to Brookfield, about 8 miles, in a sleigh, and there he actually overtook the train, and came on to Halifax. Why sir, what better are we off than if we had no railway if the travelling is to be performed at that rate—and are we to be told that this is the mode in which efficiency is given to the work by a gentleman imported for the purpose.

On my journey to town the other day, I saw through the windows of the carriage a number of sleds, laden with the produce of the country, moving along, side by side, with the railway on their way to town. On my arrival at the next station, I learned that on that same morning 10 sleds similarly loaded had passed on. It struck me as a most extraordinary state of affairs, that this country should have so largely involved its revenues in the construction of a work like this, and yet that the business of the country was done as if it were not in existence. I find out on inquiry that the countrymen complained of the rates of freight, but their principal difficulty arose from the times the train run. A countryman coming to town may not have business here to detain him

a couple of hours, yet such are the arrangements that he is compelled to remain here, whether he requires to do so or not, two nights and one day. We find, therefore, that he can leave his home with his own horses, arrive in town, attend to his business, and return without spending more time than by the Railway, and at a cost actually less than if he came by railway. What need therefore of any refined argument upon the point. It is enough to see that the railway is so managed that the work which it was built to do, is not done on it, and that the mismanagement of the present government and of the Board are written in characters so plain that he who runs may read.

The Provincial Secretary boasts that not a passenger has lost his life during the past year. He is certainly preparing to keep good his boast for the year to come. It would be hard to imagine how any great habituity to accident could occur from a rate of 10 miles an hour; but I tell the hon. gentleman that if there is little loss of life, there is abundant destruction of property. Since the railway opened to Truro there is scarcely a week elapses without an accident, shewing the incapacity of those to whose charge this work is committed,—and when I find this, and contrast it with the past, and find that we are creeping at the rate of 10 miles an hour over even that part of the road which for years has been running at double the rate, I do not see how the Administration expect a certificate of character from this house. I think if there were no other reason for the change, it would be reason sufficient that we wish to have men in charge of this great work who understand the responsibilities of their position, and will discharge their duties in that spirit. Our railway is fraught either with great benefit or great injury to the country. It is largely a question of management, and while our revenues are invaded to the extent of £50,000 a year, to pay the interest on our debentures, it becomes us to see that the work is in the hands of men who know their duties and will discharge them right.

The Provincial Secretary gives us as a reason why no measures are brought down, the spirit of opposition which any measure meets with from this side of the House. But surely that can be no reason why a majority cannot carry any act required for the good of the country. He (the hon. Attorney General) says that the reason why the Administration did not support the Maine Law, was because that law sustained a great moral blow in 1855, when gentlemen who had voted for the Law turned round afterwards and voted against it, under the pressure of the administration of the day. I tell the hon. gentleman, that if it is the moral blow which the Law has received which has prevented him from introducing or supporting it, he need not go so far from home to find by whom it was given. I well recollect the vote by which the principle of the Bill was carried. In that vote some 6 or 8 of the supporters of the then Government were found side by side with the present Attorney General and his party, voting for what they considered a great moral question. But no sooner was the vote passed than the hon. gentleman from Guysborough, now Financial Secretary, asked if it was the intention of the Government to resign. Is it to be wondered at that some gentlemen began to feel that it was more a political than a moral

triumph that was aimed at, and therefore if the question has suffered, the charge must be laid at the door of the right parties.

But is such an argument of any force? The Attorney General, when he carried the vote in 1856, was sustained by his whole party with one exception, but he knows well that many who voted with him on that occasion did not do so because they believed in the efficacy of the Law,—that they did not even disguise their contempt of it. Yet he could avail himself of their votes to carry a measure which he believed for the good of his country. Why did he not then sustain the Bill in 1857? Is it possible to draw any but one conclusion? The hon. Provincial Secretary says that no greater burden can be hung round the neck of any Government than financial embarrassment. Then, is it not fair to conclude that when this chain was to be imposed upon the late Administration, there could be a good object in carrying the Law, but that the moment the Government changed hands, the policy of such a step was also changed, and the Bill which was all right in 1856, needed airing in 1857. Is this not the key to their policy respecting other Bills? Take that of Municipal Councils. So long as their opponents were in power they had the control and appointment of the local authorities throughout the Province. It was therefore good policy to take away this power and transfer it to the people of the Counties themselves, but the Administration changes, and the Municipal Bill is no longer necessary. The new Government can reward their friends without it, and we hear nothing more of a bill which was advocated here year after year as essential almost to the existence of the country.

Then again, when election to the Upper Branch would have given a chance of one of these seats falling to an opponent of the Administration, it was sound policy to make that Branch elective, but it is a different story now, and we hear no more of a Bill to diminish the patronage of the Executive. It would seem, however, that there is some difficulty even when they have it their own way. It appears by the speech of the Provincial Secretary, that the Government are in trouble in King's County from having too many men. They are suffering from an "embarras de richesses." They have one hole to fill, but they can't stop it because they have so many corks.—(Laughter.)

As to the speech of the Governor and the answer, there is really very little to find fault with. No one objects to the Government thanking God for the blessings of a good harvest, or deploring a failure in the fisheries, and this is the pith of the speech. When the old Government came down with an announcement of only two or three measures, we used to hear no end of harangues at their unfitness to discharge the duties of an Administration; but here again things are changed, and we find the gentlemen who made these complaints coming down without a single measure of any kind. They appear to have ignored all the duties of a Government, except that of receiving their salaries, and now and then getting up a Delegation to give a valuable impulse to something or other at the other side of the water.—(Laughter.)

I listened with surprise to the Financial Secretary when he told us of the aid he and his Church had received from Catholics at a former



period. I had always thought that in the efforts which were made in old times to deprive the Episcopal Church of a useless and irritating ascendancy, and to place on an equal footing every sect and creed, the Catholics had not been found the particular friends of the Church, and therefore I could not understand the occasion for so much gratitude. However, the closing adjuration, in which the honorable Financial Secretary almost used the words of a celebrated English statesman, recalled to my mind the circumstances in which these words were uttered, and also reminded me of some rumours that have been lately floating about the Eastern part of the Province in reference to the Financial Secretary himself. I will not undertake to say there is any truth in these rumors, but if it be a fact that the Financial Secretary has recently been coquetting with the Opposition in his own county, it will go far to complete the parallel. A celebrated English Chancellor, in the time of George III., supposed to be a staunch adherent of the King, was carrying on some private negotiations with the Prince, whom he used occasionally to meet, but being attacked one day in the Lords, he expressed his devotion to his party in the same terms the Financial Secretary has used, "When I forget my King may my God forget me." Was it possible to hear the same adjuration from the Financial Secretary without calling to mind that when the Chancellor made that speech he held in his hand the *Hat of the Prince*, which he had brought away by mistake instead of his own from a private interview with the Prince. (Hear and laughter.)

But if the Financial Secretary's speech amused us a little, it did not fall upon my ear so curiously as that of the late Solicitor General. He stated he was born and cradled in Conservatism, and that it was not likely he would desert it now. I must confess that if he retains his regard for his old friends after the treatment he has received from them, he possesses the virtue of *resignation* in an extraordinary degree. How is he treated? Actually smoked out of the House, and then taking his stand at the window delighted to see as he looks in, that if there is nothing for him, that at all events his *friends* have each a spoon in the Government pap. (Laughter.)

I listened last year to his speech in reference to the Protestant Ministers, with some misgiving as to his being exactly the man to lecture on such a text, but after the picture of pious resignation he gives us now, I feel that we have not properly appreciated them.

The hon. and learned member says that he could not go to the opposite side of the house, because parties in this country are divided by so small a distinction. He says there is merely a line between us—that our political views are nearly identical with those entertained by the government, and therefore, though ill-treated in his own camp, and abused when he leaves it, he cannot join the Opposition because their views so nearly accord with his own.

I certainly shall wait with some curiosity to see his vote,—it will be odd enough to find him record his confidence in those who say they have no confidence in him. It will be a singular thing to see going down to posterity, the two records. The

Minute of Council, side by side,—with the vote of confidence.

The honorable Member for the Town of Halifax asks us what reason we have to be afraid of the Catholics, and why the 9 gentlemen of that persuasion in this House should not be at liberty to act as they please, like any other 9 gentlemen in the House? I tell the honorable Member that if they held the same position, and were subject to no other influences than any other 9 gentlemen, there could be no reason to find fault with them, but let him look at the facts as they exist. We have in this House Members of that persuasion sprung from sources entirely different. We have the descendants of the gentle Acadian, with sympathies, with traditions, with a history peculiar to themselves. We have the offspring of the hardy Mountaineers from the Highlands of Scotland, and we have the descendants of Irishmen. These men have nothing in common but their faith. Their origin, their training, their language, their literature is different. These afford the elements for every diversity of thought, and yet we have only to look back a year to find all these men, on a particular emergency, inspired as if by one thought, march in a solid phalanx from one side of this House to the other.

Has any body a doubt that the influence which brought about that event was not in the House, that it was an influence from without,—an influence brought to bear, not upon the reason, but on the faith of the gentlemen who exhibited that spectacle. It is because we do not believe that political action ought to be controlled by ecclesiastical dictation, that we on this side of the house do not consider that the Catholics occupy the same position here as other members. Let any man analyse the religious faith of the gentlemen who compose the Opposition, or that of those who sustain the Government. Is there any denomination but one which is found entirely on one side? There are Presbyterians on this side, there are Presbyterians on that, there are Churchmen here, there are Churchmen there, there are Baptists and Methodists here, and there are Baptists and Methodists there, all arrange themselves in positions which they occupy independently of their religious belief, except only the one body, and does not every one feel that that body will be found where it is, just so long as, in the opinion of the ecclesiastics, who have the control, it is for the good of the church they should remain there. At this moment three-fourths of the Protestants of Nova Scotia feel that we are under the dominion of an ecclesiastical authority, operating upon the Government by its control over the votes of members in this House.

Am I asked how long the opposition is to retain its present attitude towards these gentlemen? I say, just so long as we find them acting as a combined body, aiming by their combination to acquire denominational ascendancy. When they are allowed to act like the other members of this House, they are entitled to the same position and the same privileges as any other members, and they need not fear on the part of those who have raised them to the level of other denominations any disposition to place them beneath that level.

Both the Provincial Secretary and the Attorney General deferred to the recent election, and enquired what advantage they had been to the Op.

position. They say that the gentlemen returned hold the same seats, which were filled by the same party before, and that their elections do not alter the vote of this house. If that were all there would be little to boast of, but there is more, and a great deal more. In each of the counties contested there is a Catholic population of some extent. What was found? Why, that the same mysterious power which controlled the vote here, was brought into operation in the counties, and that the members of one religious body, marched over in a solid phalanx to the arms of those with whom they had always been at variance before. Of course that secession must have been made up, and more than made up from the ranks of Conservatives, before the gentlemen who have been returned could find their way into this house. It is therefore by the aid of men who have hitherto been the friends of the government, that the government candidates were defeated, and in the person of the member for the County of Hants, who was, himself, formerly a supporter of the party now in power, we have an instance of the effects produced by recent events upon the minds of the Protestant population.

The Provincial Secretary says that it is an unhappy position that men in this country are obliged, from pecuniary considerations to seek the emoluments of office. I think the remark might have been spared. I believe I may say without undue assumption, that the men on this side of the house, have as little need of those emoluments as those who now enjoy them.

PROVINCIAL SECRETARY.—In the remark alluded to I made no reference to gentlemen in opposition, as distinguished from those at this side. My remarks were general as to the importance of office to men in the Province.

MR. ARCHIBALD.—I take the qualification as it is given, but I understand the remark differently, and in that view feel it necessary to say that we could at all events challenge comparison with the other side of the House as regards independence of office.

The Provincial Secretary has referred to the lowering of the flag at Government House, and says that that had already been explained. I was not aware before that any member of Lord Mulgrave's Government had given any statement on the subject, but after the explanation is given, it does not remove all my difficulties.

[In answer to a question of the Provincial Secretary, Mr. Archibald admitted that he did not disbelieve the statements as given by the Provincial Secretary.]

But that is not exactly the point. I do not look on the explanation as meeting the whole case. The Governor in this Province is the Representative of Her Majesty. The official residence of the Governor is not the residence of a private gentleman—the acts of the Governor are not the acts of an individual. I prefer to treat him as I would treat Her Majesty. He is beyond the pale of political remark,—he is not amenable to political observations. The Government of the day are the parties with whom we have to do, and I look in vain for any expression of their opinion on this act. Have they disapproved of it in any way? Have they disavowed it by any minute, or have they even suggested that the servant who could take such liberties with the

flag of his Sovereign should pay the penalty of his presumption.

I am not disposed to invade the decencies of private life. I have no wish to say a word that would justly give offence to the distinguished nobleman who administers the affairs of this country, and I allude to the subject because his Lordship here is not a private individual, and that any act with which the name of the Queen's Representative is connected acquires a significance altogether different from that of a private individual.

But assuming that the explanations given by the Provincial Secretary did exonerate the government, I ask was it Lord Mulgrave's servant who posted the notice on the doors of the government offices on the same morning? Did his Excellency send some person from his palace to let the public know that business would be suspended during the interment of the Archbishop? If not, there is something very curious in the coincidence. Is it not odd, that the same idea should have occurred at the same time to a menial at Government House, and to the subordinates in the public offices? Such a thing might happen, but it will require strong reason to make the country believe that the public offices on that occasion were not closed as a tribute to the deceased, and by order of the government.

The Provincial Secretary frankly admits that if he could have accomplished his wishes, the present member for Hants would not be sitting here. He certainly did his best to keep him out, but in doing so, he has only once more trodden under foot the doctrines which he has preached in this house.

Who denounced more energetically than he, the practice of a member of this house going down into a county, not his own, to interfere with the elections in it?

PROVINCIAL SECRETARY.—Never.

MR. ARCHIBALD.—Then, if he did not, his leaders who set beside him did, and the Attorney General has thus another opportunity of retracting his old principles. It will be amusing to hear him vindicate this act by speeches the very opposite of those by which he assailed it in 1857.

The Provincial Secretary has also stated that if the Railway despatches were here, there would be but one opinion of the propriety of sending delegates. I regret that he did not do that, as he did in the case of McLane, give us the materials to form a judgment—but as he has admitted the source which inspires the columns of a certain newspaper, devoted to the support of the government, I presume we may fairly assume that the delegation has resulted in nothing more than what is characterized by that journal as a "valuable impulse."

Now, sir, we all recollect the great state paper which was laid before us last year by the Financial Secretary. That famous document, by which his name will go down to posterity, in company with £3 4s. 9d., then at the disposal of the Legislature. If that paper contained a true statement of our financial affairs then, there was no duty so incumbent on the government as retrenchment and economy. If we had but £3 to spend, before we could go and throw away £600, we ought to have a reasonable prospect of something more than a "valuable impulse."

But we are not confined to the *Colonist* for our information as to the nature of the despatches—we have the means of judging what they were from the communications between the government and the late Solicitor General, which have been made public; and so far as I am able to judge on the matter from these materials I am bound to say that my opinion coincides with his, and that he was well justified in the course he felt it his duty to take. Sir, I do not agree in all the sentiments of the hon. and learned member for Pictou, but I feel it due to him to say that I consider the step he has taken—doing it as he has at the sacrifice of income and of the prospects of professional advancement—is most creditable to him; and I can admire the patriotism and integrity which induced him to incur such sacrifices rather than consent to hold himself responsible for expenditures incurred with no object, and that could lead to no result. I agree with him, that to go to the British government with no concerted plan—no agreement between the Provinces—none of those conditions complied with, which were declared by the minister to be necessary preliminaries, could have led to nothing, and that an impulse just as valuable could have been communicated by a letter without the expense of a formal delegation.

But, sir, I agree with the hon. gentleman from Windsor, that important as these points may be, they sink into insignificance compared with the great question whether this country is to continue subject to the ascendancy of any sect or denomination. The hon. Provincial Secretary has alluded to the probability of our long remaining in opposition, but I tell him that I should rather see the party I act with doomed for a life time to exclusion from the offices and power of government, than that they should hold them by the degrading tenure of submitting to the dictation of any ecclesiastical authority. For this reason, more than any other, I feel it my duty to record my vote in favor of the amendment, expressing a want of confidence in the present administration.

**HON. FINANCIAL SECRETARY.**—The hon. gentleman has thought proper, with his usual good taste, as he generally does at the opening of the session, to pay me some special mark of attention. By and bye we may hear lamentations, like those of Job, because the Financial Secretary has not treated him with the respect he deserves. I remarked good humoredly that the hon. gentleman was in the position where I wished to keep him, and his ire appears to have been aroused. I know not about much love being among politicians, but their hate is proverbial, and hate is frequently accompanied by fear. The hon. gentleman appears to either hate or fear me, I care not much which. He is apt to exaggerate, in solemn tones, his own judgment, and to make little of the opinions of others, as if he fancied himself one of the cleverest men in Nova Scotia. I make no such pretence, but will try to shew that so grand a person as he should attend to higher objects than enquiries as to how gentlemen conduct themselves in their counties. In allusion to my remarks of last evening he appears at a loss as regards the claims which Catholics have in me. That is my business, and I may be allowed to feel gratitude towards those with whom I live on good terms.—and if I do not wish to damage those who do not bow at the

same altar with myself, I am not obliged to give him a reason for my views.

He appears to be a great admirer of the Chief Justice, and regrets that the Provincial Secretary put blame on that officer, concerning the dismissal of Mr McLean. It is hard to satisfy some people; he is not pleased with the government, and then he seems dissatisfied with the Chief Justice. I leave him in the happy dilemma. Concerning the rumours which disturb him I care but little. I am an Episcopalian, and hear every Sunday that a man should not bear false witness against his neighbour. It might be well if others heard oftener than they do the same injunction. He talks of my coquetting. With whom? The Liberal party? Indeed, my conduct all through life has been different from that. What would I obtain from them? What have I obtained, but slander and abuse for 20 years past? I belong to a spirited race of people, who have too much self-respect to coalesce with those who disgrace themselves. Were I to rise and speak of rumours respecting him and his county, I would not consider myself in a very honourable position. Rumours may be well or ill founded; I consider them, whether at first or second hand, as beneath my notice. He seems not to know why I like the Irish. I may have a slight share of Irish extraction myself, and he may claim similar honour, though not just in the same way. Why did he not make his railway remarks a few years ago? It may be expected to be always dangerous to travel with speed in a country like this, during the winter season, no matter how straight the road, but particularly with curves and grades. The hon. gentleman causes me to speak of what I have been silent on. Who gave us this railway in Nova Scotia? Who told us our revenues would be raised by it? Who told us it would be a paying speculation? Or, at all events, that the old rails would sell for something? Why does he, now that it is not plying, come in and make it a charge against us that it is not doing what he and his friends said it would? Does he not know that people do not travel much in winter? What would he say to frequent trains with but very few passengers? Does he rejoice at the accidents to which he alludes? The numerous curves make the road comparatively dangerous, and few may be expected to travel on it in winter, until that is changed. He complains that the travelling is not at a killing pace. The pace is about the same as that of his speech—it was a slow speech, and it is a slow railway. I cannot help that. He says that I destroyed the Liquor Law, and speaks contemptuously of my financial powers. I do not contradict him. I have no recollection of the remarks alluded to. He is fond of telling what others say in his presence, but has a bad memory of what he says himself. He attributes motives to me in voting for the bill. What was his motives? Was it to destroy the government? Had he any little scheme of his own aggrandizement as an inducement? If he judges me by himself, I ask him to take another model. He avers that he did not hear the explanation about the flag, and after hearing, he has very serious doubts. I do not like your very suspicious people.

**MR. ARCHIBALD.**—I did not say that I did not believe the explanation. I assumed the circumstances to be as stated.

Hon. FINANCIAL SECRETARY.—He may have it his own way. Concerning the Council and the Governor in the transaction, I consider that we have a right to advise His Excellency on the public business of the country; but as to saying when he should raise his flag,—who he should invite to his house,—what coat he should wear, I leave that to others; we would fall in the estimation of the Governor, of ourselves, and of others, if we attempted to interfere in such matters. I leave the hon. gentleman to enjoy his own opinions. He inquired about closing the office doors. There was no notice such as alluded to, posted on the Financial Secretary's door, and that is the door I have to answer for. He also speaks of the dismissal of the servant who lowered the flag. Did I understand him correctly?—did our ex-Solicitor General and ex-member of government suggest that we should go inquiring about the flag staff, and the dismissal of the servant? I hope all will be right when he again becomes member of government; that he will keep all straight at government house; he may thus be a very valuable man. He speaks of my financial statement, and of its going down to posterity. He need not trouble himself about that; I belong to a race that take care of themselves; I hope my name will hold equally good as his; if so we may esteem ourselves a grand pair, and let the races that come after us manage their own affairs; I do not suppose that my children will be able to regulate his, or his regulate mine.

The house then adjourned.

#### MONDAY, February 7.

Mr. MORRISON said:—I had not at first intended to address the house on the question now under debate, but as there appears to be great reluctance on the part of hon. gentlemen to commence the debate this morning, and as some of the remarks from gentlemen opposite seem to deserve reply, I have concluded to offer a few remarks on the question before you. My intention is not to enter fully into the question before the house, or to make anything like an elaborate speech; but I shall refer briefly to the formation and conduct of the present government; and while doing so, if anything should fall from my lips calculated to wound the feelings of any hon. gentleman in this house, I beg leave at the outset to allow him to assume that I have already asked his pardon.

I believe, sir, there are occasions when public men should speak plainly, face to face, so that they may fully understand each other.

As respects the speech from the throne, I do not know that I can characterize it in any better language than that used by the hon. and learned Attorney General, on a celebrated occasion, for it is indeed "a beggarly shew of empty boxes." (Laughter.) The representative of Majesty is not to be held accountable for that speech,—it is but the words of the government in his mouth—and the advisers of his Excellency are, as they ought to be, responsible for its contents. The address, in answer to that speech, bears the impress of the same minds, and it is quite evident that both were manufactured in the same workshop. Were I to make the observations with respect to that speech, which rise spontaneously to my lips, no doubt I should be met with the old,

stale and oft repeated cry of wresting the prerogative, and bringing the representative of Majesty into contempt; it is the most simple unpretending document that ever emanated from a body of men when in power, whose pretensions were so large when out of power.

On a former occasion it became my duty to address the house upon the speech, referring critically to its contents,—I shall be compelled to follow the same course on the present occasion. In it, sir, we are congratulated upon the assumption that the Railway has been completed to Truro. Is it so completed? Will any man who has travelled over it say so? I think not. True, the road is opened, but it is only cobbled up with frozen muck thrown loosely together, and it will yet take thousands upon thousands of pounds to complete it; and yet, in the answer to the address, we are asked to endorse the unfounded statement that the road is complete.

We are also required to acquiesce in the statement that the deficiency in the revenue for the past year has not been considerable. How do we arrive at that fact? Where is the evidence? Is there a single document on the table leading to such a conclusion? Will the hon. member for Yarmouth meet his Excellency with such a statement on his lips? What position would he occupy if, on examination, it is ascertained that the revenue has fallen off some ten, fifteen, or perhaps twenty per cent.?

We are told by the government that no Catholic influence is exercised on the people of this country. Why, sir, is it not patent to this house and country, that they are the very creation of Catholic influence, and yet the hon. Attorney General stands up here and ignores the very vital principle of his own existence. The government do not owe the position they occupy to the people of this country generally, but to a particular religious body.

The increase of that influence has been manifested everywhere during the past two or three years. The hon. and learned Attorney General once had the bad taste on one occasion, to say that the hon. and learned member for Inverness was a job. Sir, if there ever was a job in any country it is the present administration,—a job of the very worst kind, a sectarian, a Catholic job. (Laughter.) The hon. member for Sydney was the man who first introduced sectarianism upon the floors of this house,—day by day he expressly, and by implication claimed office for his co-religionists, upon the ground of their being Catholics,—and the hon. and learned leader of the government believing no doubt that the influence of that body was to wait him into power, echoed his sentiments. The effect of this continued pressure was observable in the intention at one time manifested by the administration to appoint the hon. member for Sydney to the office of Chief Commissioner of Crown Lands; and so far had they gone that he had actually arrived in this city for the purpose of taking charge of that department. But the consummation of an act so unjust and unprincipled was even more than the present government dared contemplate, their own Protestant friends threatened the withdrawal of their support, and they were compelled to secede from the perpetration of such a disgraceful political job. But an office of some kind must be found for Mr. McKeagney, whose chances of preferment had been thus swept away—and the rati-

fication of the coal mine agreement was effected by the government—the passage of which was pressed by the government—although a member of the administration admitted to me that if carried it would prove a bad job for the country.—Thus, sir, was a measure forced on the country because the Executive feared the loss of Catholic support, and yet the hon. and learned Attorney General asserts that no Catholic influence is exerted in this Province: Again, sir, Mr. Quinan was appointed to the Guaguership. Of that exercise of power I do not complain, but I believe it was forced upon the government by the same influence. Next comes the appointment of the notorious Condon, Chief Inspector of Light Houses in this country. Will any man venture to affirm that had Mr. Condon not been a Catholic he would have been selected to fill that office. Were there no old Ship Masters whose avocations had rendered them familiar with our coasts, and who were therefore better qualified to perform the duty than the Guager of oil and blubber, in the City of Halifax? Will the hon. member for Yarmouth, representing as he does a maritime constituency—will the hon. members for Queens and F. Imouth—sustain an administration who have perpetrated such an act of injustice to all the old ship masters in this province.

Again, sir, look to the Educational question; I firmly believe that were it not for the influence exercised by Catholics on the present government an educational system, applicable to the requirements of the country and satisfactory to the great body of the population, would now be in existence in Nova Scotia. What right has the Catholic body, being about one fifth of the population, to demand the passage of a law recognizing and supporting by Legislative grants, separate schools.

Some difficulty has been found in ascertaining from whom the order for the closing of the public offices, on the demise of the late Archbishop Walsh, emanated. The Hon. Financial Secretary denies that any order was on his door. That hon. gentleman was not in the city at the time; but I firmly believe that the order was in his office to be posted, and was only not put up because the government found they had committed a blunder. But in turning to the letter of their apologist, the Rev. Dr. Cramp, I find it asserted that he had been informed in confidence by the government that it was the boys in their offices who had induced the closing of the offices. Has it come to this, that the boys in the offices have become the government of the day? If so, it is high time that the country knew it. I ask for the names of those boys who exercise such an influence. But the flag at Government House was lowered. The Hon. Provincial Secretary now says that he proclaimed to his constituency in Cumberland by the consent of his Excellency, that the flag had been lowered by a menial; but this is the first open explanation of that act which has been given. Where I ask—before whom, and in what public place in the county of Cumberland did he make that fact known? Neither at Wallace harbour, nor in Pugwash, nor I believe at Amherst corner, did the hon. gentleman venture to address his constituents; but betook himself to the more secluded parts of his county to defend the acts of the government.

If a messenger was despatched to inform a gentleman that his garret was on fire, would he

be wise to seek him in the cellar, if he was sitting in the drawing room? And yet this is analogous to the course which the hon. Provincial Secretary has pursued on this occasion. Why was the announcement not made in the organ of the government in this city, and not in the outskirts of the county of Cumberland, behind the Cobequid Mountains? Is it not clear that had Mr. Henry not been the representative of a Catholic constituency he would not have been appointed upon the delegation. We are told that there was no time left to consult the hon. Solicitor General—yet Mr. Henry could be consulted and a fortnight given him to prepare for leaving. I ask, then, sir, if I have not given proof sufficient that Catholic influence is all powerful with the government?

Let me now turn to the dismissals. The first of these to which I shall refer is that of the hon. Mr. McCully, Judge of Probate for the County of Halifax. It is clear that gentleman was dismissed on political grounds; that even the hon. Provincial Secretary has scarcely ventured to deny—contrary to their oft-repeated denunciation of that principle; and here let me ask if the hon. member for Yarmouth is content to support an administration which commits such an act—when he has denounced others upon the same principle, and declared his intention to support no government that would be guilty of such conduct.

Again, sir, what excuse can the government offer for dismissing Mr. Forman. The hon. and learned Attorney General tells us that it was for his incompetency as an engineer. Who gave the government that information? Are they competent to judge of any man's engineering skill? I am bold to say that among them cannot be found a man of practical ability in any branch of ordinary public business, to say nothing of engineering. But, sir, is the man they have substituted for Mr. Forman, at a salary of £1500 a year more competent; were is the advantage resulting from the payment of £600 more to Mr. Laurie than Mr. Forman received—when the former has carried out but the designs of the latter, and that so badly that the road is almost useless. Do we not all know that a water course some fifteen or sixteen feet in length has been contracted to four feet—the result of which is exhibited in some ninety or one hundred feet of the road being swept away at the last freshet, which can only be repaired at a cost of some hundreds of pounds to the Province. How can the hon. member for Yarmouth justify the dismissal of Mr. Forman and appointment of Mr. Laurie, when he has always appeared in the house as the advocate of low salaries. The Provincial Secretary disparages the difference between £500 and £1500 a year, but let me tell him that that which is of insignificance to him in the city of Halifax becomes of great importance if applied to the repair of a road or the construction of a bridge in Cumberland. It is curious to see how the butterfly forgets that it was once a caterpillar.

But, sir, the conduct of the Executive after Mr. Forman was dismissed, is deserving of all consideration. Not only did they deprive him of his means of livelihood, but they aspersed and maligned his character, pursuing the same course with respect to him which they followed in the case of the late hon. Solicitor General. I do not appear here as the defender of that hon. gentle-

man, but it is with the minute of council that I have to do. Sir, when the untutored savage meets his foe and smokes the pipe of peace, they feel secure in each other's confidence, nor is the hatred treacherously raised by one against the life of the other as soon as they leave the wigwam. But the government, though sitting in secret council with the late Solicitor General, were not content to allow him the privilege of resigning in peace, but as soon as he left their wigwam stabbed him to the heart, and represented him to the world as a perjured man. I denounce this principle of pursuing men after they have been dismissed from office or resigned with the determined intention of not only depriving them of bread but of destroying their character. Let this principle be once recognised as correct, and no honest man will enter the councils of the country.

The hon. Attorney General charged the Opposition with a design to proscribe the Catholics,—he is the last man who should lecture any set of men on proscription, for no man ever attempted to carry that principle into operation in this country with the exception of himself;—nor have the Opposition in this House any intention of proscribing any man or set of men, but they are determined to circumscribe Catholic influence within its due and legitimate boundaries.

The hon. Attorney General tells us the government is and should be strong; I ask him for what reason? Is it because they took part with a lawless mob, and aided and abetted blood stained rioters in escaping the just punishment due to their crimes? Is it because they strive to establish sectarianism in this country—a curse wherever it is found? Is it because they have wasted the resources and crippled the revenues of this country in idle speculations and expensive and needless delegations? Is it because they have depopulated our country by the passage of an unjust act and ceded a part of our territory to a neighboring Province? Is it for these acts that the government is entitled to that support from the country which gives strength?

Even in smaller and minor matters the government are wanting in skill and judgment; something like £4,000 has already been wasted by the building of a wharf at Parrsboro', which was not located in a proper place, and it will require some thousands more to finish it. Yet I suppose it is considered by the government to be all right, because it meets the views of some of the Provincial Secretary's strong supporters. Take another instance,—the light house at Burncoat. Let it not be supposed that I think it unnecessary to have a light house there, but I do not agree with the wasteful expenditure contemplated in the construction of the proposed building. The site is within a few rods of a good dwelling house where the keeper could be entertained, and all that was required was a small room in which he might rest at night, instead of which they are about to erect a cellar under the whole at a large expense.

With respect to the Temperance Bill the action of the hon. Attorney General is before the country—the people thoroughly understand it. Even if such a measure could not have been passed, which I deny, who voted to take the duties off wine that he might cater for the tastes of the army officers in this city? This House will never forget the spectacle which he presented on that

occasion, when he tried to dodge the vote. The hon. Provincial Secretary takes credit to the government for the passage of a good License Law, but he forgets that that measure was prepared by the hon. member for Pictou, Mr. McDonald, a supporter of the Opposition, and was supported in its passage through the House by many of the supporters of government.

Again, sir, mark the different tone with which the government have dealt with the Protestant alliance this year, when contrasted with their speeches of last session. No fraud and forgery now,—no Protestant ministers denounced and stigmatised with the most opprobrious epithets that the English language affords, because they chose to associate themselves together for a perfectly legitimate and proper object. This alliance can no longer be frowned down, the hon. Provincial Secretary has changed his tone to something like fawning submission.

The Provincial Secretary declares that office is so necessary to the public men of this country that it overrides all other considerations. This may be true with respect to himself and the government, I deny it on the part of the Opposition. His education in the English political school, which cost this Province £375, should have taught him better, and I hope will not be altogether without its influence on his future public conduct.

It is a question in my mind whether a majority will be found in favour of the amendment moved by the hon. leader of the Opposition; be that as it may, the members of this house have now to record their votes in favor of the acts of the administration or against them, and the country will be soon called on to judge between the contending parties.

MR. MCKEAGNEY.—Mr. Speaker—If hon. gentlemen who have already spoken in this debate had been less negligent of their facts, I should have spared the House the infliction of this speech, the more so as I feel that nothing new has been elicited by the opposition speakers. They have merely reproduced the old cry of last session. They still repeat the stereotyped cry of Catholic pressure, and endeavor, by mere assertions, unsupported by proof, to stir up the worst prejudices and passions of the people. In what I have to say, however, I shall not imitate them in their passionate expressions and inflammatory appeals, but will endeavor to be guarded by sober reason and moderation. I call upon the hon. and learned member for Inverness, and the hon. member for Windsor to state any one act of undue pressure which Catholics, as a body, sought to exercise on this house or the country. Did they ever do so on the late Government? If so I demand the proofs. I am astonished at the hon. and learned member for Inverness; he who has made this accusation, he whose connection with Catholics has extended over a period of twenty-five years, he whose warm eulogies of that body have been both loud and frequent, thus, at the 11th hour, to bear false witness against his former friends, is strange indeed. Strange did I say? it is something more than strange—it is ungrateful. But I will put that hon. and learned gentleman against himself, and out of his own mouth will I condemn him and disprove his present unscrupulous assertions. Why, sir, who

that does not remember that hon. and learned gentleman's eloquent appeals in the season of 1857, when the late administration were overturned? Is it not well known that on that occasion he not only acquitted the Catholics of all those high crimes and misdemeanours with which they have been now charged, nay more, did he not beseech them in the most insinuating tones to remain in his ranks? They are no worse now than they were then, and if they were so dangerous either to the Councils or Legislature of the Province, how can he justify his conduct to his Protestant friends in his endeavors to continue his connexion with those dangerous Catholics? Let the hon. and learned gentleman answer me that if he can. I fear he will find it rather difficult to do so.

Now, sir, it has been charged on the Catholics that they have acted in a body and thereby broke up the late government, and that this power in any religious body is dangerous to the state. I answer that there is no interest either religious or secular, that if unjustly assailed will not gather itself up for protection. I put that proposition to any man of sense and I ask him if it be not true. Do you think if Free Churchmen or Episcopalians, or Methodists, or Baptists, were attacked as a body and threatened to be trampled down by their co-associates in politics, that they would not resent the insult as the Catholics have done? But whom have Catholics justly offended by this political separation? The Conservatives? No, assuredly not. They went over to their ranks as volunteers, without one condition or stipulation whatever. Have they justly offended Protestants as a body? No, surely not, for in going over to Mr. Johnston's party they have been guilty of no aggression upon Protestant rights. Whom, then, have we offended? None but the liberal party; them have we offended, and with them, and only them, are we willing to do battle. Our action was purely political, we separated from our old political associates because we regarded their leaders as unscrupulous, unjust, and even insulting politicians. Hence we opposed them by our votes, as we had an undoubted right to do. Was not this action perfectly constitutional on our part, and incidental to our position as politicians and members of the Legislature? But, in the face of all this, the hon. leader of the Opposition and his friends on that side of the House, endeavor to metamorphosethis conduct of ours into an attack on Protestants of all shades of politics! Can they think the people of this Province are fools to be caught by such stuff, such bare-faced clap-trap. Now, sir, I charge it upon the opposition that they are trying to demoralize the country, by stirring up religious strife and animosity among the people. They are doing more, sir; they openly aim at the subversion of the rights and liberties of Catholics. By what right, under what authority do they arrogate to themselves the power of despoiling one-fourth of her Majesty's subjects of those privileges which the constitution has secured to the whole people? But, these gentlemen, though they now invoke the storm and lash the worst passions of the people into madness, tell us, with strange inconsistency indeed, that they mean to do the Catholics justice. Yes, justice with a vengeance! Let us see what it is that these conscientious gentlemen call justice.

They have admitted that the objects and teachings of the Protestant Alliance are a true exposition of their views; in other words they endorse the policy of the Alliance. What is that policy? Listen to what the Rev. Mr. King says in the concluding part of his lecture before the Protestant Alliance, and then we shall have a foretaste of the justice we may expect from those equitable politicians.

"Our conclusion therefore is," says the lecturer, "that if we Protestants and our Roman Catholic fellow subjects are to continue in the enjoyment of civil and religious liberty, it is to be secured not by placing ourselves under the influence of the Priests, but by doing what we can to secure through the blessing of God, that the administration of our public affairs shall be in the hands of men who fear God and hate covetousness; men in whom we have confidence that they will not shew contempt of God's word by neglecting to secure a due place for it in schools supported by Provincial funds for the education of the young, and who will not by supporting with the public funds those who teach *Papish error* involve us in the guilt of aiding and abetting those who are agents in a conspiracy against civil and religious liberty."

What does this breathe? A spirit of fair play to Catholics! What a mockery of the word. Rather let it be called a spirit of utter proscription and dark souled intolerance,—that is its true name. And equally monstrous is it to suppose that the Alliance is non-political. Do not the foregoing words of the lecturer recognize party, and condemn in the clearest terms Mr. Johnston's administration. These matters seem to me so plain, so self-evident, that to waste further time in their consideration seems but an unnecessary occupation of the time of the House.

Mr. CHAMBERS said,—It must be gratifying Mr. Speaker, to the members of this house generally, to discover the improved style and manner in which this debate is conducted, as contrasted with the tone of the speeches delivered by the hon. members of government at the last session of this Legislature. The change thus conspicuously apparent, indicates that the hon. Provincial Secretary has been taught a lesson which for the credit of this house, I hope he will not soon forget. It may be, sir, that the troubling angel has not yet descended to disturb the pool, and therefore, the government believing themselves secure in their position are content to rest at their ease, believing that their bark will glide safely and securely over the waters to its proposed haven. We shall see. The squall which passed over us at the last session purged the political atmosphere, yet the thunders of Mount Sinai, will yet be heard for the spirit of the storm is still abroad. When nature is convulsed the lightening and the thunder accompanies the convulsion, that the poisonous vapours may be dispelled, and the thick and murky clouds scattered. So in the political world; and if ever a political thunder storm were needed it is at this hour. In the ships of state the stench has become so powerful that one of the chief officers has been compelled to desert her, and the bark is now tossed about on the ocean of difficulties, without a helmsman competent to guide her safely into port.

It is said that the more witching and still the

calm, the nearer is, and the more dangerous will be the storm. So, sir, although to the minds of the Executive, nothing at the present hour may denote the danger that threatens them, yet it is no less near.

Now, sir, I will be permitted, I hope, to say that there is not within the walls of this house a member nor desirous of pressing forward the public business than myself—nor do I believe that there is in the ranks of the opposition one who in the least degree desires to retard or obstruct it; but we should fail, indeed, in the performance of our duty to the country generally, and the constituencies who have sent us here, if we shrunk on an occasion like the present from a full, free and candid exposition of our principles—or failed in the strongest terms to reprobate and denounce the acts of an administration which in our opinion has failed to command and does not enjoy the confidence of the people of this country. I may be asked if we expect to carry this amendment. I answer no! we do not, for I am thoroughly convinced that there is not a man of the government supporters, who, whatever he may think of their conduct—however much he may condemn their policy, and privately denounce them here or elsewhere—has the moral courage to ratify and confirm the opinions he entertains, by an open vote of want of confidence. Why, sir, even the hon. member for Falmouth, who in the streets of Windsor is open-mouthed in denouncing the acts of administrative wrong and injustice perpetrated by this government, when he comes into the presence of the hon. and learned Attorney General shrinks into his habitual and characteristic insignificance and becomes at once the pliant abject tool of that hon. and learned gentleman. (Laughter.)

Sir, if we were contending in this house for office, honors or emolument, the charge of wasting the public time might with justice be laid at our doors; but, sir, our aims are higher and more ennobling—we have in view the establishment of a great principle—the accomplishment of a great object; we desire to prevent a foreign potentate, the sworn enemy of the British constitution and of the flag of our country wherever it floats—from governing this province, either by himself or through his emissaries. [Expressions of dissatisfaction in the gallery.]

Sir, I desire to be distinctly understood; our motto is "Freedom to all, proscription to none." My object is to state my grounds for opposition to the government so distinctly that misunderstanding will be rendered impossible. It will be seen, then, that Catholics as well as Protestants are interested in the principles for which we are contending. Were the political affairs of this province to be placed in the hands of the Catholic Priests, the very Catholics themselves would not possess the same liberty of thought, speech and action which they now enjoy.

This will be self evident if we but glance for a moment at the social and political condition of Catholic countries—witness Spain and Italy.

The hon. member for Halifax, Mr. Tobin, would have us believe that the disagreement between the Catholic and Protestant liberals in this country may be dated from the Crampton meeting. Sir, this is not correct; disaffection was in the ranks long before this. If there had been no Crampton meeting—if the hon. member for Windsor had not written a line, the Young Gov-

ernment was doomed. Sir, the first session I entered the halls of legislation, although a novice in politics, as the hon. member for Halifax in his wisdom chooses to call me, yet I was not such a novice but I could discover unmistakable signs of disaffection in the Catholic body. Sir, a demand was made in reference to the clerk's table; no sooner was that done than another was made by the President of the council; then the Financial Secretaryship was demanded; then the Speaker's chair; and I began to understand the direct screws that were at work. Sir, the hon. member for Inverness will do me the justice to admit that I was one of the first to lend my aid to put a stop to this intrigue. The rock upon which the Catholics of all countries have foundered the ship of state is their eager desire to grasp at power. Give them political, and ecclesiastical power is sure to follow.

I shall now review as briefly as possible the policy of the government since they came into power, and the first question that naturally arises is, what measures have they carried to advance the interests of the country? Not one solitary measure. Last session the Elective Council Bill was announced, but owing to their weakness and imbecility they were obliged to withdraw it. Sir, the speech of the present session is remarkable for containing nothing—not a single measure is propounded. What has become of the famous representation bill? Sir, they dare not test their strength on that or any other question of public policy. Is this the kind of government to carry on advantageously the business of the country? Sir, this is a general outline of what they have not done. Let us now see what they have done. They have added £2000 to the expenses of the government. Sir, one of the first charges that I bring against the administration is the dismissal of Mr. Forman. I want to deal frankly. Let us come to the point at once.

Was it on account of his incompetency? Sir, I challenge them to point out a single act of incompetency on his part. The line from Halifax to Truro has been laid precisely where Mr. Forman's plans directed, and yet we are told that Mr. Forman is incompetent. Sir, if £1500 per year would qualify a gentleman for office instead of £950, then, Mr. Laurie has the advantage. I believe the policy of the present government is to destroy the road and make it obnoxious to the people. This was an argument made use of by the hon. gentleman on this side. At first I could not believe it, but owing to facts which have been detailed here, I can no longer refuse it credit. Sir, during the past summer blunder after blunder has characterised the management of that great public work? Look at that celebrated Tariff which requires a Philadelphia Lawyer to understand—the effect of that extraordinary document has been to drive the people of the interior off the road. At the present moment a barrel of fish transported by rail to Halifax, costs the country 3s. 5d., by private conveyance it can be carried for 2s. 6d.; the people as a natural consequence adopt the cheapest mode, and therefore, it is apparent, that in that act the administration evidenced their general design and intention of destroying the character of the road. Again, sir, take the salaries of the officers connected with the road. Where was the necessity for employing Mr. Mosse at a salary of £500 a year. Surely one engineer would be sufficient to



do all the work required, and if I am rightly informed, the salaries of several way officers have also been increased, all of this is plainly intended to swamp the earnings of the road, and thus contribute to its failure.

Now, sir, I should like to know the real cause of Mr. Forman's dismissal. Was it not because he was one of those unfortunate Antiburghers who for some reason have incurred the anger of the government, and in addition to this because his name was enrolled as a member of the Protestant Alliance? Sir, the moment I saw his name on the list of that alliance, I knew he was a doomed man. We all know with what malignity the Hon. Provincial Secretary attacked the members of the Protestant Alliance on the floors of the house last session. He charged them with fraud and forgery, and with playing a political game. I dare him to reiterate those charges now. He cannot do it. The government have crawled back to their holes, ashamed of the course they have pursued. Sir, the leaders of government greatly mistook the character of political parties in this country when they boldly asserted that the Protestants could not and would not unite against them. They thought that as long as they kept the Catholics with them they would be all right, no matter what indignity they offered to their former friends—no matter that they lowered the flag of our country and closed the public offices, on the death of a foreign ecclesiastic; they thought, in fact, that nothing would drive the conservatives from their support. In this they committed a grand mistake, as recent events have shown.

I now come, sir, to the dismissal of the Hon. Jonathan McCully. Will the government dare to assert that this was not done for political reasons. What has become of the doctrine so often asserted by the hon. Attorney General when in opposition, and which he laid down as the policy of his party? His words are still ringing in my ears, that no public officer should be dismissed on account of his political opinions; but I am very much afraid that that hon. gentleman is in the habit of admitting a doctrine to be sound when it suits his convenience, and of repudiating it when it clashes with his interests.

The hon. Provincial Secretary embraced the opportunity of visiting the county of Hants during the recent elections held there, and on nomination day Mr. McCully is charged with impeaching the character of the Judges, in reference to Kennedy's case. It is true that he did deliver a speech on that occasion, but he made no reference to the Judges then. The hon. Provincial Secretary may well remember that day, for he got as nice a dressing as he ever got in his life, and which I think he richly deserved. The hon. Mr. McCully had made himself obnoxious to the government—his pen has administered fearful castigations upon them, they wanted any sort of pretext to enable them to vent their malice on him. Sir it is amusing to hear the way in which the government treat the Hants election, the Attorney General says he has lost nothing by that result, I would ask if the government considered it of little importance whence arose the necessity for the exertions put forth by them to win the seat. If the house will bear with me I will endeavor to carry your imagination to witness a scene I am about to describe in the month of August last. Notice had been secretly conveyed

to the supporters of the Government that on a certain day the honbles. Attorney General and Provincial Secretary would meet their friends in Rawdon. On that day a group assembled at the Baptist church in that place—the hour arrived but there was no appearance of the orators of the day, at last the announcement was made behold they come. After the usual preliminaries the hon. Attorney General was called upon to address the meeting. As he proceeded to mount guard a whisper was heard in the crowd what venerable looking old gentleman is that—what a saint like appearance he presents. Another remarks that the Attorney General made a mistake in his profession he ought to have been a local preacher. After him followed the Provincial Secretary, I cannot describe to you the style in which his address was delivered, but the speaker expressed his astonishment that the intelligent yeomanry of Hants should send such noodles as their present representatives. We did not rest satisfied with beating them by a majority of 300 we routed them horse foot and artillery and sent them cowering to the wall. Sir the result of this election has had an effect on the whole province, and why because it was fought out on the new platform of the opposition the Catholic and Protestant question. In that county there are 300 Catholic voters who had previously acted with the Liberal party but sir every man on that occasion of them voted on the government side, this you will perceive is equal to 600 votes—there must have been a change then of 700 votes on the Protestant side to have given us the election—this sir is a refutation to the charge made on the floors of this house that Protestants cannot unite and forget their previous political differences. Sir what did I find during that election that all kind of influences were brought to bear. The priest of the parish made a canvass of his flock that those he could not see he addressed by note and threatened that if they refused to support the candidate for the government they must be prepared to suffer the penalties of the church, sir I look upon that election as one of the greatest victories that was ever won by any county in the province especially when we consider that the opposition candidate was a gentleman who had previously sustained the Conservative party sincerely believing that they were right, but what now opposed them when he found they had forsaken their principles.

Sir, I now come to the charge of closing the public offices on the burial of a foreign ecclesiastic. Sir, this is one of the most degrading and humiliating acts ever perpetrated, that the government of the country should so far disgrace our national flag, is humiliating to every British subject. I heard the explanation given by the Financial Secretary, and it is not satisfactory to my mind, that hon. gentleman said that he could not believe vague rumours that were in circulation, are we bound I would ask to receive his bold statements, how come it that the notices were posted on the doors of the public offices to close at a certain hour, and that the flag at Government House was lowered about the same time. It is a remarkable coincidence at all events. I believe that if all the Protestant clergymen in Nova Scotia were to be buried in one day, the government offices would not have been closed. Sir, this one fact proves beyond doubt that the government is controlled by

Catholic influence, and it will require an abler pen than the Provincial Secretary can wield to convince the people of this country that the public offices were closed by the subordinates in those. Sir, I am not bound to receive the explanation given by the government, for I do not believe that the Governor's servant would dare to commit such an outrage on the Protestant feelings of this country without receiving orders from some quarter.

Such an explanation as that given is repugnant to our common sense. The lowering of the flag is attempted to be palmed off on the Lieutenant Governor, and the closing of the public offices on the clerks. Such subterfuges will not mislead the people of this country. If it is true that these subordinates did it, then they are the masters, and we cannot be blamed for seeking to turn out a government that allows such indignities as these to be perpetrated. There cannot be a doubt, sir, but that these acts were done at the command of the priesthood of Halifax. The hon. Financial Secretary tells us that his office was not closed. This is true, for that hon. gentleman was not in town at the time, and I will do him the justice to say, that I believe if he had been, that the loyal principles for which he is known, would have prevented this insult from taking place; but although he boasts that his office was not closed, it was a mere accident that prevented it. The order for closing was in his office and was about to be obeyed, when the government, finding the storm of indignation that was aroused, were obliged to countermand their own orders, and throw open the public offices for the transaction of business. Sir, this is surely an ignoble position for any government to occupy. They obtained their power through priestly influence—they have been controlled by it ever since, and it is this influence which it is the aim of the opposition to sweep away.

The hon. Attorney General referred in his speech to the main liquor law bill. Sir, I have often heard it said that politicians required more brass than would make a kettle, and I was convinced of this when I witnessed his treatment of that bill. That measure has been his political stalking horse by which he sought to regain power for the last ten years. He said, place me in power and I will carry it. But what was the result? No sooner does he obtain office than forsooth he is convinced that it requires airing. Now, what are the facts of the case? When that bill was passed during the Young administration, many of his supporters voted for it, and some of the conservatives, so called, against it. A motion was made to rescind, and the same gentlemen who voted against the bill also voted against rescinding. Sir, I deny the charge thrown out that the government of the day brought their influence to bear on their supporters, it was a voluntary act of their own, and if any influence was exerted it was by the hon. Atty. General, to compel his supporters to vote against their own resolution.

Sir, if their is one act which should be written in capital letters, it is that which the leader of the government committed last Session in voting for the reduction of the duties on wines and thus robbing the renewal of £300 a year if I mistake not another political game is about to be played with the Liquor Bill, the hon. Atty. General has found out that he has lost popularity on this question and he is about to attempt to wash his

hands clean of it. His game will be to propose a bill to test the sense of the people at the next General Election and if he finds that the popular voice is against it, then he will appeal to the temperance men and say "I have done my duty, and it is useless to pass a bill in opposition to the wishes of the people." but if the decision is in favor of the measure then as the hon. Atty. General expects to be out of power, he will have an opportunity of forcing it upon the present opposition, no better plan could be adopted to destroy the bill, for surely during the heat and excitement of a General Election is not a fit time to obtain the impartial decision of the people, on that great question.

There is another charge I have against the government, and that is the answer of the Governor to the address of the Wesleyan body. I am not here as the advocate of that body of Christians in particular, but I am here to defend the rights of all denominations of Christians and of our common Protestantism. When our Institutions are attacked—when our Bible is pronounced false by the Church of Rome, I am here to stand up in their defence; when any body of Christians are insulted, I am here to resent that insult; when separate schools are demanded, I am here to oppose them. But we are told that the Governor prepared the answer. This is a similar dodge as that in reference to the closing of the public offices. How anxious are the administration to get up a personal quarrel between the opposition and the Governor. Sir, I hold His Excellency's advisers responsible for every act. If they are not to be held responsible, who is? If they are to be allowed to ignore every act committed, where is the responsibility to rest. The insult received by the Wesleyans, may be the fate of Presbyterians or Baptists to-morrow. Sir, what better treatment can the Protestants of this country expect to receive from a government, guided by the policy of Rome, and now Mr. Speaker, in conclusion I am anxiously waiting to see the action of the late Solicitor General. I do not wonder at that gentleman retiring from a government where his advice is not required.

I am aware of the feeling of disaffection, which existed amongst the members of that government ever since its formation. That gentleman had fought the battles of the Conservative party for thirty years. He had borne the burden and heat of the day, and was fairly entitled to receive his share of the emoluments of office, but what was done. When this government was formed, the present hon. Provincial Secretary whose political position was of monstrous growth, was placed over his head in a prominent office at a salary of £600 a year, while he who had supported his party for years only received £125 per annum. And notwithstanding his past services he is now thrust out of the ship without even a sailor's allowance. Sir, this is harsh treatment, but they have done worse, they have pursued him with a minute of Council, stabbing him to the heart and charging him with betraying the confidence of the Council, in other words that he is a perjurer man.

With one other remark, Mr. Speaker, I shall close. Sir the government have dared to thrust their hands into the public chest, and have extracted therefrom £700 of the people's money to pay for a pleasure excursion to Great Britain

without the consent of parliament—and this sir when last session there was only £3 4s. 9d. to pay for the road and bridge service with a prospect of a further deficiency in the revenue this year.

Sir, that one act is sufficient to condemn any government in the estimation of any honest man, and upon that alone I am content to ground my reasons for supporting the amendment of the hon. leader of the opposition.

MR. McKEAGNEY.—The hon. member for Newport says that I demanded the speaker's chair on the ground that I was a Catholic. Sir, I emphatically deny that charge. First, I never did demand the speaker's chair, nor did I ever require support in obtaining that office on the ground that I was a Catholic. What I did do was to put myself in nomination for the speaker's chair, and ask the support of my friends as an independent member of the Legislature.

MR. CHAMBERS.—I am prepared to prove the assertion I made; the hon. gentleman not only demanded the speaker's chair because of his being a Catholic, but threatened what the consequences would be if he did not obtain it.

MR. McKEAGNEY.—I never did.

MR. MORRISON.—The hon. member for Sydney must have forgotten his own action. I have a distinct recollection of the language used, he told us he could be speaker in spite of us; that he had his friends pledged to support him and he would not absolve them.

MR. McKEAGNEY.—I adhere to what I said. True, Sir, I stated that I would not absolve my friends from the promise they had given to support me; that is very different from the statement of the hon. member for Hants.

MR. HENRY.—I well recollect what took place. My hon. friend from the Township of Sydney stated that he had received promises of support from certain of his friends, and claimed to be entitled to the office, but neither he nor any of the religious body to whom he belonged, based their claim to that or any other office on religious grounds.

Hon. Mr. HOWE thought the current of debate had better be preserved.

Hon. ATTORNEY GENERAL.—The obligations of delicacy and propriety should be better understood than they are, and hon. gentlemen should abstain from making references such as these, based upon rumor, private conversation, &c. The speech delivered by the hon. member for Newport, so far as I am concerned, is composed entirely of statements unfounded and inaccurate. I do not think it necessary to answer him. I leave his remarks to go for what they are worth, feeling that they are entirely beyond the scope of parliamentary debate.

Hon. PROVINCIAL SECRETARY.—As I do not intend making any lengthened reply either to the remarks of the hon. members for Londonderry or Newport, I may take this opportunity of stating that their personal references to myself are altogether without foundation. As to the account given of the Rowdon meeting there is not that man living who can state that I characterized the representative of Hants, either past or present, as idiots.

Hon. Mr. HOWE.—I presume, sir, that the statements made by hon. gentleman opposite are not more accurate, to say the most of them, than those made on this side.

MR. CHAMBERS.—The references made to the hon. Attorney General, have already appeared in the public papers, and remain uncontradicted. As to the hon. Provincial Secretary the statements I have made were communicated to me by one of his warmest political supporters. If it had come from a supporter of the opposition I might not have been inclined to believe it.—(Laughter.) Hon. gentlemen well understand me; politicians are likely to colour matters as their feelings desire—therefore if it had come from one of my own supporters in the excitement of an election contest I might not have accorded it the same credence as I did when it emanated from a supporter of the government.

MR. WADE.—If every idle report, or slander is to be made the subject of debate in this house, the sooner we know it the better, that some means may be adopted to save the time of the house, and press forward the public business. The addresses delivered in this house of late have been mere electioneering orations, intended to effect the next elections, and the house should put a stop to them.

Hon. Mr. HOWE.—I hope the hon. member for Digby is not serious. I was not here on Saturday when the Provincial Secretary addressed the house,—but the swash-buckler style of some delivered the day before were certainly equal to anything that has come from this side of the house.

Hon. ATTORNEY GENERAL.—To whom does the hon. gentleman allude? I spoke on Friday.

Hon. Mr. HOWE.—Oh! I do not refer to the hon. Attorney General.

Hon. FINANCIAL SECRETARY.—I also addressed the House on Friday; does the hon. gentleman apply that language to me?

Hon. Mr. HOWE.—The hon. gentleman will know to whom I refer when I come to reply to him.

Hon. FINANCIAL SECRETARY.—I can tell the hon. gentleman that if he applies such language to me across the floor of the House, I will put the power of the House on him.

The House then adjourned.

TUESDAY, Feb'y 8.

MR. CHURCHILL.—In consequence of some observations made by the member for Newport, I feel called, Mr. Speaker, to make a few remarks. I consider this debate uncalled for, and am not unmindful of the expense to the country for this frivolous, trifling show by the Opposition, while the gentlemen who brought it here, say, honestly, they do not expect to carry the vote. I am convinced of the truth of the last speaker's remark, that when taken it will be a vote in favour of the government, not against it, and will be considered a vote of confidence, instead of want of confidence, both by the House and the country. The member for Newport says I am a tool in the hands of the government, and that when I come under the eyes of the Attorney General I am no more the independent man supposed to be while living in my own county. What does he mean by that? I pledged myself to act independently in the House, and I have done so, and I intend to do it. I tell the member for Newport that I am not one to "follow my leader" through thick and thin. Did I vote for the Attorney General's delegation

last year? I did not, though I did not vote against it, and my name may stand in the journals as it ought not. I went out when the vote was taken, and did not vote for the question. I have been frequently told that I "follow my leader," but the hon. member knows that that is not characteristic of my composition at all, but rather the reverse. I wish I was more condescending, after I have been attacked in my own county about what the government does, and what they do not. I admit that one thing may be wrong, and that is, they should have turned every man opposed to them out of office. It so happens that I am one alone out of five from the county of Hants that support this side, the wrong side as they suppose, but I think it the right side. When I came to this house I was not well posted up in the way of conducting affairs here. I never supposed that men would pursue the course they do. The determination of the opposition is to obstruct, to make the government obnoxious to the country as possible. That was the object last winter, and when they protracted the session they put the blame of it on the government. I was astonished when this resolution before this house was placed on the table by the member for Inverness. It had no just cause to be here. The member for Windsor also came up with much force, and assailed the government, determined to shake its foundations if he could; but while the heavy artillery was playing on the battlements of the government, they effected nothing for themselves or the country. The speeches have reference to the next general election. That is the object; to rouse the feelings of man against man, neighbour against neighbour, to set at strife all they can, to enflame the whole country. These feelings do prevail to some extent, but perhaps not so far as was expected by the leader of the opposition. I admit that the new member for the county of Hants had a majority of 240. But how was it obtained? Every way;—by fraud and forgery. There was a cry about the Protestant Alliance, but they professed also to be the friends of the Catholics,—and yet they told frightful stories about them for election purposes. Two out of three, in my county, voted for the hon. member. Many electors did not vote at all. There was a strong sympathy for the late lamented Mr Dimock, and as the member for Colchester obtained his election without much difficulty, they found extra exertion requisite to controul individuals of a certain class who vote according to weight and measure, the election times being a jubilee to some voters. There is much triumphing about some counties in reference to the coming election. Persons may be mistaken in some places. Complaints have been made about taxing the counties through which the railway runs, for the fencing of the road, and it has been said that I voted for it; this I entirely deny, although the false statement was circulated throughout the length and breadth of my country. It is well known, Mr. Speaker, that in 1854 a bill was passed in this House to make the counties through which the railway was to run bear the cost of the right of way and fencing. As it now stands, chapter first of the Revised Statutes, clause nineteenth reads thus:—"Monies paid for land and fencing shall form a county charge." It was fully understood that the cost of fencing the road would be over £100 per mile, but when the present government

came into power the sum not being expressly defined, we agreed to reduce it to £50 per mile. The vote was not 16 to 16 or 26 to 26 as was reported, but a large majority voted for the alteration. I voted for the reduction. Surely there was nothing wrong in that.

Much has been said about Mr. Forman. He was much thought of at first. I do not presume to have much knowledge of engineering, but if I could not form a better track than that around the Basin, I think I would give it up. At some places they cannot run much more than four miles an hour, the curves are so short, unnecessarily so. I asked one of the foremen employed at the works why there were such heavy grades? The answer was that Mr. Forman was not much there, and that they might go pretty much where they liked. The railroad is where it ought not to be; it is brought over the highest land in grades of 70 feet to the mile, when if they went north of the Ardoise hill the grade would be only 30 at the most. I did not think Mr. Forman a competent man for the work, not that I knew anything against him one way or the other, but could find a hundred men in Hants that could select a better route. The member for Newport used to complain because it was carried so far from his handsome village; but now he is silent on the subject.

I look on the rail road with much interest, and dislike extremely any attempts to obstruct the works, or to injure it. The rate of travelling has been spoken of, but there are good reasons for the slow pace, and they run rapidly at times, where the road is straight. I was pleased at a Nova Scotian being appointed as chief engineer, but he did not seem to take a deep interest in the work, and I think it would have been better if he never came to the province in that capacity. I wish him no harm however. The government has been called weak, by those who wish we were weak, but weak though we may be, they will find us strong enough yet. I hope that the resolution will have the effect, before next election, of making the country think more seriously than they have ever yet thought of us, being for no other purpose than to obstruct.

The Protestant Alliance affair has made much noise, but the agitation has had but little effect politically, on the minds of judicious men. Are not the Catholics the same now as when they supported the liberals? I have always associated with people of that denomination; I was warned on coming to the house, respecting the side I should take so as to save my coat from being torn; but I have experienced no difficulty in that respect, from being on this side of the house. The cause of all this trouble is because the Catholics left the opposite side, and some revenge is sought for. The country knows that, and I scarcely believe that there is a man in the province who is sincere on this question as urged by the opposition; the object is merely to obtain power back again. If that were settled the action would be very different. I hope that after to-day all will be set to right; the country is looking at our proceedings, seeing us squabbling as formerly, and thus occupying valuable time and causing obstruction to the public business. Some men in the house are fond of speaking, and some of them we like to hear, others again say little; but we pay too much for the whistle; the four or five hours' speeches cost the country too much, an

what do they amount to, except efforts to obtain power again? I have thought repeatedly of bringing in a resolution for the reduction of salaries of all officers of government,—that might have some effect on these squabbles about places of profit and emoluments. Men now want to get from the treasury all they can,—if salaries were reduced excitement might be lessened and good men be obtained who would act for the public benefit.

Mr. KILLAM.—I hardly know what are the points of debate. The real question seems set aside, and almost every thing else introduced. Similar debates have occupied much time in former sessions. It would be well to keep gentlemen to the question, if an early decision is desired.

Mr. WIER.—The hon. member from Falmouth says that he did not vote on the Mines and Minerals; but he did, and subsequently in conversation admitted that he did, and that he did wrong and was sorry for it.

Mr. CHURCHILL expressed some denial.

Mr. WIER.—I did not intend to speak on the question, Mr. Speaker; but I seem called to do so, and do not wish to shirk from duty. Surprise has been expressed at the bringing of the amendment here. There is a good rule in Banking Institutions, to the effect that at the end of every financial year every customer's account is sent for his signature; his name is supposed equivalent to approving the business of the year, and the account is closed. So one reason for the resolution before the house is, that when gentlemen go to the hustings at the next election they will have an opportunity of stating, if they vote against the resolution, that they approve of all the acts of government—that they had deliberately endorsed all of them. Thus, when gentlemen speak of disapproving particular acts, they may be shewn their endorsement, amounting to an approval of lowering the flag—turning men from office and abusing them afterwards—squandering the finances, and so on. All these are considered as subscribed to, in voting on the resolution. It is a useless task for me to attempt to argue for the purpose of convincing gentlemen opposite. In reference to that, argument is useless; justice is a matter of little moment—all is cast to the winds. No matter how good a case may be, proof is of small value, except a man succumb to the powers that be. I believe that dismissals made by the government are enough to consign it to disgrace. Look to the case of Mr. Forman, was there ever an act in any country like that—and towards a man who for probity and integrity is not exceeded in the country? Not satisfied with depriving him of office, his means of living, the machinery of government was brought to bear on his devoted head; and what had he done? He defended the country last year when a claim of £70,000 was made by certain contractors. Do any one believe, if the government could erect a bastille, that they would not put him in one of its dungeons? Some men's character is as dear as their lives, as it ought to be. I condemn the system adopted by the government press of trying to defame men dismissed from office. When Ahad coveted the vineyard of Nabod, he offered him a consideration for it at first, but evil counsel induced him to alter that course, and to get up an accusation against him; and then he took away

his property. That is the practice followed. Look at the dismissal of the Sheriff recently. The Scriptures say a man may be condemned on the evidence of two witnesses, but he was condemned on one, while three gave contrary testimony. Gentlemen do not like to hear remarks on this question, they say that government is as pure as a sheet of white paper,—and they ask, why trouble the country with these things? I answer, that they may have an opportunity of rescinding their votes on the acts of government. I raised my voice on a former occasion, saying that the change would cause the railway to be destroyed. It is now being so, and to the effect of destroying the country in the way foretold. A man might build a ship and work it advantageously, if he took the right course in building, and provided the right captain,—but if he did not take the proper course, would it not ruin him?—A wise plan may be carried out, but if it is not, the work may ruin those who attempt it. The public works of the country, in the hands of judicious men, may be a blessing—in the manner now treated they would be its ruin. Look to the financial difficulties arising from it, which the country will not get over for years. One reason why I would turn out the government is, that I believe another year's reckless expenditure on that, would put the province back for ten years. Why is that? Because those who have charge of the railway are its enemies, and always were. A gentleman laughed at me recently, in the lobby of the house, saying that he told us it would ruin the country; I answered that I knew it would, in such hands as his. Its management causes men in the country to refuse travelling on it, saying they can travel cheaper by means of teams. Was that the intention in expending a million of money, to so manage the work that people are afraid to use it, and will not pay the freight? The international railway has been subject of much remark; but it seems strange that a government, always the enemies of railways, should send a delegation to England in reference to that proposed road. The leader of the government opposed the only tangible scheme ever brought before the country for an intercolonial railway. He spoke formerly against the plan, as contrasted with the Portland line, and now, when by his instrumentality, and that of his friend, Mr. Jackson, the Portland line is established, we are to have the other also. I observed recently, that ten or fifteen members of the Canadian parliament, associated with inhabitants of Portland, petitioned the parliament of Canada for an act of incorporation for the purpose of constructing a Pacific railway, Portland to be the outlet. Who have we to thank that Halifax is not the outlet? Those who send delegates home when the object is fruitless; when our own engagements would prevent the province taking up the work, even if the object were not destroyed by arrangements elsewhere. These are the men to take charge of railways; a pretty affair they have made of the one in hand. Much has been said of Catholic influence, and the government deny such influence. I think it unfair, 80,000 inhabitants to have no influence; they had much under the former government. For twenty years was the party opposite the opponents of those who wished Catholics and all others to be the same in the eyes of the law. What were we blamed for while struggling for the rights of all? What were we called by

those who now call me bigot? I deny the charge; I am no bigot; I go for equal rights, but not a hair breadth beyond that. I say nothing against any ones religion,—but I want no system by which any one religion shall have too much power. Better to live under the British constitution which accords every man his right.

One matter not spoken of in this debate is the sale of public bonds. The fact, I believe is that they were sold to the amount of £30,000 sterling last year at par, when they were worth ten per cent. in England. I might have bought as well as Mr. Almon, and paid 5 per cent.; but that would not put so much money in the pockets of others. Why did not the Receiver General advertise the large amount of bills he had for sale, as the Commissariat does? If I applied for bills to the Receiver General the answer would be they were all promised. It would be easy for me, if I had the entire of his office, to enquire the price, take the bills, go out and sell them at considerable profit. It was a nice business, which I might like to be in myself, under conditions. I charge gentlemen opposite with incapacity and squandering the people's money. That is plain language. I do not wish to give offence, but speak as I think.

The member for Falmouth may talk as he likes about "fraud and forgery," and some in his county may recollect the terms, but it would take 200 votes such as he alluded to, to neutralise the vote at the other side. The return of Mr. Smith exhibited a great change. Look to Colchester also, and a neighbouring county, where the government dare not make a certain appointment. They did not like to "trouble the people," they said; but we know if they could get a vote by doing so, they would care little about the trouble. Some gentlemen opposite are mistaken, and they will find that out. They obtained power by accident—the people were not consulted at all; when they are, many of them will not be back again. Some may be sure—one gentleman smiles at me—but if I took a certain course I would be sure also. That, however, I could not adopt.

HON. FINANCIAL SECRETARY.—I do not suppose that the hon. gentleman wishes to cause public damage by his statement about the bonds, and therefore I think he is mistaken. When he sees the papers on that subject he will find that he is. Bonds do not always bear the same price; how did Sir Gaspard LeMarchant obtain bonds at par, while others paid four per cent? That was under the former government, and it tends to illustrate the fluctuating price of such securities. The Bonds would not command 5 per cent this summer. (Mr. Wier—Why not apply to Baring, or to me, or some one else.) Financial Secretary continued—Mr. Almon's name has been mentioned in connection with other bonds at a lower price than they were selling for in England. I explain: the former government contracted a debt with Mr. Almon of £16,000—and with Mr. Kenny of £20,000, and another with the Bank of Nova Scotia, £56,000, which they had no right to do, because the law directed a certain mode under such circumstances. I do not say the debts were contracted wrongfully—they might be expedient. It might be possible that bonds would not float in the English market. Thus also we might be called on for money

and not be in a condition to meet the demands. So it was. When Mr. Almon gave the loan, he obtained debentures as collateral security. He had a right to do so, and when he could make more in the American market to demand payment. He said to us, you owe me £16,000, I gave you no specified credit, and I want the money. We spoke of not contracting the debt, of deficiency of money—of difficulties in consequence of the state of commercial affairs, and offered him bonds, wishing an extended credit. He said no. We therefore sold debentures in England and paid the demand; but we could not prevent him from afterwards coming into the market and purchasing, if he wished. There was nothing wrong, except an unfortunate government getting hold of a country almost bankrupt by mismanagement, with a public work to be completed, which began at the wrong place and terminated at the wrong place. (The Finl. Sec'y was about to proceed when he was reminded by hon. Mr. Howe that his remarks were understood to be in explanation.)

HON. ATTORNEY GENERAL.—So much for illustration of the inexpediency of discussing these questions until the facts are here. I hope the good sense of members will cause them to abstain from subjects which will be before the house regularly when the papers are brought in. Members should keep to the question.

HON. MR. YOUNG.—If the rule were applied to both sides it would be well. I do not pretend to form an opinion on the question of bonds at the present time; by and bye, however, we will have the papers. We cannot keep any of these points from discussion on the proposed vote. By the resolution we are asked to record our opinions on every act of government. He who votes against it is supposed to be for all the acts of government; they who vote for it to wish for change. The Parliamentary rule is plain.

HON. ATTORNEY GENERAL.—I allow the rule, I only allude to the speaking on that of which there are no particulars before the house. The time is not appropriate.

HON. MR. YOUNG.—I did hear of debentures selling at par; the government may have been obliged to do so. But what seemed strange was, as alleged to sell here at par, while in London they were at a premium. I will move for papers concerning premiums and sales. The government may be able to explain why they sold to the amount of £30,000 at par.

HON. PROV. SECRETARY.—When the papers come down the hon. gentleman who complained will be placed on the defensive himself. He will be called to defend his own government.

MR. WIER.—Reason can be given why bonds were low at the time alluded to. The hon. gentleman's friends were doing what they could to depreciate the securities. It was found expedient then to sell bonds at par anywhere. Did not the member for Yarmouth publish a letter denouncing the whole scheme?

HON. PROV. SECRETARY.—That would not cause the Executive to sell to favorites at par, and to others at 4 per cent. We will not only vindicate ourselves, but throw back the charge.

MR. MCFARLANE said:—I did not intend to have spoken on this measure, having heard nothing from the opposition which would have warranted me in occupying the time of the house; and should have remained silent but for the

statement of the hon. member for Halifax that the object of the resolution was to pin members down to a record of their votes in order that the constituencies of the several counties might be enabled to pass sentence on the conduct of their representatives at the ensuing election. I trust the hon. gentleman may be enabled on that occasion to shew his own constituents such reasons as will ensure him a continuance of their favor. We are asked to pass an opinion on the resolution generally, without the necessary papers or material for furnishing a correct judgment on the hon. gentleman's amendment, and without any definite charge being made against the government. One speaker urges as a sufficient reason for sustaining the vote of want of confidence, the proceedings of the government in reference to the Railway, another the silly story of the flag, and another that of closing the offices. They produce assertion without proof, and ask us to divide and record our votes upon measures on which we have no data to form a correct judgment. The hon. member for Windsor treats all these questions as matters of minor import, and supports the amendment solely on the ground of Catholic ascendancy, and, sir, I am willing to go back to my constituents as a Protestant to a thoroughly Protestant county and defend any act of the government of which I am cognisant, having, as he supposes, a tendency to exhibit danger to the country from the predominancy of that body; nor have I, sir, much doubt as to the result of the appeal. The gentlemen opposite seem to have a singular love for these annual constitutional debates, and so long as they continue in opposition these may be expected to arise year by year, even although, as admitted by them, they have no hopes of succeeding in their motion, and their action can only lead to a useless consumption of the time of this house. If we are thus to expend our time in the fruitless discussion of questions, which can lead to no beneficial result, it little comports with the true dignity of this house, and will certainly not conduce to the benefit of the country. Gentleman who come here to transact the public business, if compelled to sit and spend their time in this manner, will feel less and less inclined to return, and I am not willing so to occupy the attention of the house. When the papers in reference to the several matters alluded to by the hon. leader of the opposition are brought down by the government, we will then be in a condition to judge them by their acts, and until those facts are disclosed, I certainly am content to, and feel warranted in, recording my vote in opposition to the amendment proposed by the leader of the opposition to the address.

MR. HENRY said—I do not rise for the purpose of addressing the house at any length on the issues presented for our consideration by the hon. and learned member for Inverness, nor should I have addressed the House at all were it not that he made some remarks personal to myself, the tendency of which did not exactly strike my ear at the time they were delivered, but which have since been published. He having endeavored to convey an incorrect impression respecting me to the public at large, it becomes my duty to vindicate myself from charges emanating from a quarter so high. His remarks may be read in places where an humble individual like myself may never have been heard of, and therefore some reply to his observations seems necessary.

The hon. gentleman commenced his address the other day by stating that he hoped the debates of this House would not hereafter be characterized by the rancorous personalities of past discussions. I felt pleased to hear him express that hope. For my own part, sir, during the sixteen or eighteen years that I have been in this assembly I have always endeavored so to comport myself as to offend no one; but the hon. gentleman before he sat down violated his own position, and went somewhat out of his way to make a personal attack against myself, referring particularly to my action in separating myself from the hon. gentleman and those who act with him. With that I shall deal fully,—but allow me first to say that his remarks in reference to the delegation seemed to me particularly out of place. The necessary information was not before the House, nor did the hon. gentleman presume to condemn the action of the government in terms, but made some peculiar remarks on the persons appointed to perform that public duty. As a public man I am aware that my acts are public property, and as such open to the freest canvass and remark, but when an honorable gentleman presumes to give a history of any transaction, it is but just and fair that he should go into the whole subject. The hon. gentleman did not adopt that course; in the nature of things he could not have pursued it, for as I have previously stated, the discussion was premature. This is the only reply I shall give at the present moment to his remarks on the delegation.

Now, sir, the hon. gentleman was pleased to make the following remarks personal to myself. Touching the minute of Council respecting Mr. Wilkins, and the reference to my parliamentary experience, he said “some part of that experience perhaps he might have been better without.”

To this I got up very good humouredly, and without any intention of creating undue excitement, or arousing unnecessary ire, replied—“that I perfectly agreed with him in opinion.” It is not necessary for me now to say to what part of my parliamentary experience, in connection with the hon. gentleman, I referred to. My mind might, however, have been directed to a period a little antecedent to the time he referred to. But, sir, to whatever period or circumstance I alluded, it was intended merely as a piece of good natured badinage,—and the asperity with which he replied led me to believe that something had gone wrong with him; that he was disappointed, chagrined, in bad temper about something, and that I being the first unfortunate individual who fell in his way, came in for the whole force of his preconceived anger, and he immediately went to charge me with having abandoned my party, and violated every rule of political morality, and every principle of honorable obligation, and he would have blushed to his inmost soul to have done what I was not ashamed to do.

Now, sir, I ask the hon. member if he did not desert and abandon his own principles, and if this debate affords the only instance of his vacillation. The commentary which the remark I have quoted afford to the expressed hope of keeping the debate free from personal remark—is not the most striking instance of the hon. gentleman's abandonment of expressed opinions to which I

could refer. But, sir, even in reply I shall not follow the bad example which he has set? What had my retirement in 1857 to do with this debate? In what respect was the position of the government effected by that act? The house will at once perceive that the reference was unnecessary and gratuitous. But the hon. gentleman says "he would have blushed to his inmost soul, &c." Well, sir, I have been acquainted with him for many years, and have not noticed that many blushes sufficed his face; he has occupied a variety of positions. I have seen him in the full flush of victory and also in the hour of impending danger, when it became necessary to defend his own acts, and in many instances when a supporter of that hon. gentleman I have been pleased to see how ably he could make the wrong appear the better reason.—Whether he had occasion to blush or not I will not say, but certainly his blushes, if any, have been but few. I admit the obligation which binds every honorable mind to maintain inviolable the rules which should govern confidential communication; but, sir, references like these should be spared when the hon. gentleman well knows that shortly after my resignation I applied to the Lieutenant Governor for his leave to vindicate my public conduct, of which I have nothing to conceal. Four or five times, also, have I asked the hon. member for Inverness to withdraw the honorary obligation which sealed my lips, and give me permission to free myself, as I easily could from every imputation of improper conduct. From neither the Lieut. Governor, nor the hon. gentleman have I obtained that permission.

Now, sir, I have heard from many quarters that the hon. and learned member for Inverness undertook to give a false representation of a private confidential conversation which took place between the hon. gentleman and myself at his own house. I ask him if he did undertake to do so;—and if so I ask him to permit me, not privately, but openly and publicly to explain what occurred at that meeting. Since that conversation took place my lips have remained sealed and I now invite him to conceal nothing but to have the most free and open canvass of all my acts. Secrecy may do much for his position—nothing for mine.

I could not help remarking what occurred the other day when the hon. gentleman opened this debate. He taunted the government with weakness, and imbecility; but while he was making these reflections what position did the hon. gentleman himself occupy, what spectacle did the opposition present? He was moving an amendment to the "Answer"—which might have been presumed to be the act of the whole body—and he gave many reasons why in his opinion the government had forfeited the confidence of the country. He was followed by the hon. member for Windsor who declared that many of the reasons given by the hon. leader of the opposition could not be considered because the information necessary to arriving at a right and just conclusion was not before the House. Did not his whole speech tend to the effect of saying—"You are not the leader, you are not fit to be the leader; the reasons you have given for opposing the government are mere flea bites, the only question before the House is the great question of Protestant and Catholic."

Now I agree with the hon. member for Windsor; but surely sir, this dissension in their own camp was an evidence of anything but the strength of the opposition; and if the government be not strong, of which there is but little evidence, the opposition are much weaker and less united. Now, sir, can it be averred that the strength of the opposition consists in the Parliamentary tact of its leader.

I saw by a newspaper that the government was to be overturned, and that we were all to be sent back to our constituencies; if the hon. leader had had really any serious grounds for entertaining such a belief they were dispelled by the hon. member for Windsor, who admits that the motion is but a mere flourish of trumpet and cannot be carried.

In what position, therefore, does the discussion of this question put the opposition; they are here seeking to obtain a division on a vote of want of confidence which they admit cannot be carried. How then will the government stand if the motion be lost? Will not the action of this House amount to a direct vote of confidence in the administration? It must be apparent to every man capable of understanding the question that such will be the case, and that the parliamentary tact of the leader of the opposition has laid the government under the deepest obligations for procuring for them such an unequivocal and unanimous expulsion of the continued confidence of their friends and supporters.

Catholic pressure has been spoken of by the hon. and learned member for Inverness, but I can prove that it was not that which broke up the government. If it were, I would consider myself in a wrong position, but I am prepared to maintain that position, and think it correct, I call for evidence of what he says, and which has been publicly denied. I assume some little reputation, I am here with a full knowledge of circumstances, and consider myself in a position to call on him for proofs of his assertions. I have never heard such proofs, and have asked for them before. I make this statement without temper, and deliberately; when the member for Inverness is prepared to absolute me from secrecy, I will be prepared to go into the question thoroughly.

Hon. Mr. HOWE—I hope the member for Inverness will give the leave,—it has been asked for repeatedly,—the member ought to have it;—the curiosity of the House is excited.

Mr. HENRY.—I thank the member for Windsor for the suggestion. It was not the pressure of the Catholics that broke up the government. I deny that such pressure existed, if it did it was unknown to me. After the dismissal with which my name has been so much connected, when the government adopted the suggestion of the member for Windsor, the Catholics did not go over; for days the opposition were in doubt what course would be taken, and the member for Inverness thought that some of the Catholics would vote for him. It is said that the Catholics left the government. I am prepared to show that the government left the Catholics. The hon. member only made assertions, and at present I am only called to give denial. If facts are adduced, I will be prepared to give such explanations as I think will satisfy the country that there is no proper ground for the statement. My position has been various-



ly misrepresented, and I asked here for public enquiry. I think the leader of the opposition was influenced more by feeling than sober judgment, in making the remarks of which I complain, and I regret that they were made, on his own account, and no more. He did not add to his position in so speaking. The hon. gentleman referred to Speakerships and Financial Secretaryships, in relation to the pressure of Catholics; but I enquire whether the gentlemen alluded to pressed their claims on account of religion? When the late Mr. McLeod was refused, did any Catholics withdraw in consequence? His reason for retiring, as stated in his letter, was personal ill-treatment from the member for Inverness. Why not state in specific terms the instances of undue pressure, if such exist? Are the reasons given, the only reasons that can be assigned, for asking the country to come to the conclusion? Is the flag and the closing of the offices the ground of the charge? It is said that straws show which way the wind blows, and are these the indications complained of? The dismissal of a servant for doing what he saw done by several protestants of the city has been spoken of, and are the government unworthy the confidence of the country because they did not ask such dismissal? What inference is to be drawn from all this? The government denies participating in lowering the flag, the deny the closing of the offices as a government act. The newspapers said that only for the opposition of Protestants they would have continued closed; but a Catholic told me, that when he heard of the circumstance he exerted influence to prevent the closing, knowing the use that would be made of it by the opposition. But if Protestants caused withdrawal of any such intent, does it not disprove the undue influence of Catholics? After all, these are small matters on which to upset a government. Instead of such, look to the constitution of the government, and the public offices, and see whether in reference to these undue pressure has been used. In the government no Catholic draws a shilling; the other offices are about as they were under the former government. The member for Inverness and the member for Windsor, love the pressure for some 20 years, while they were supported by that body. Only for such interest the member for Inverness himself would not be in a position to move the amendment before the House. Does he reflect on his position, in the constituency he represents. Was he sent here to denounce Catholics, to divide them from political influence? He talks of blushing, but if he can reconcile his conduct, I leave him the task. Before he casts reflections, let him enquire whether he has been faithful to the trust reposed in him. I ask the House not to suppose that the people of the country are children, to change a government for the reasons given. If there are other reasons let them be stated. If charges are made without proof, and if proof be not given when called for, what does it amount to? Let gentlemen opposite be guided by the rule which governs such matters elsewhere. Let them give instances of pressure, the times and the occasions. Let them say the Catholics asked this and that, and endeavoured to force their views by any threats of opposition. Let them shew, I say, even one instance, the charge is serious, and

deliberately made, and should be examined accordingly. Two years have passed since the occurrence complained of. The member for Inverness has the whole information at his disposal.—He has made the charge, I ask him for the proofs. If he can establish his charges I will feel that I have been acting improperly for the last two years. Knowing that such evidence cannot be adduced, I take the position I do; the true one, as I think, under the circumstances. I have made these observations coolly, and in answer to remarks by the member for Inverness, which were of a nature such as I am thankful I never had occasion to use in the house. I hope that I will always have the bearing of decency, never to make charges, except I am prepared to give evidence accordingly. When I see such charges against myself as having “violated every rule of political morality, and of honorable obligation,” I ask him to prove what he says. I deny them. If he is in possession of proofs, here is the place; I ask for them; if he can not produce them I ask him to withdraw the charges made, or stand convicted of preferring them unjustly.

WEDNESDAY, February 9.

The house met at half-past two o'clock. The adjourned debate was resumed.

Mr. WADE said:—I had occasion at an earlier part of this debate to remark, that it did not seem essential that I should mingle in the discussion, for from the mode and style in which it was conducted—and because of the want of necessary information, we were not in such a position as seemed to commend itself to the respect of the country or the house; but since I find a determination evinced to protract the discussion to an unreasonable and unnecessary length—and each member seems to think it incumbent on him to deliver his views at length—in the language of the “ready letter writer”—I also, Mr. Speaker, have concluded to say to my constituents, “I write you those few lines to tell you I am well, and hope you are the same.” (Laughter.)

I have said, sir, that the debate is useless and unprofitable. Why do I say so? The amendment of the hon. and learned member for Inverness is based on the assumption that the speech from the Throne has really nothing in it. That speech and the answer have been so designated by the opposition, we may fairly assume, then, that in neither is there to be found anything to call for this amendment, and that the action of the hon. and learned leader of the opposition and his party, has been taken for the purpose of finding an outlet for their pent up feelings of dislike towards the administration—and of sending to the country their long speeches, with the object of making political capital out of them.

I complain, and I think every member of this house has a right to complain, that this debate has been forced upon us prematurely, before the information necessary to enable hon. gentlemen to arrive at a sound and correct conclusion, as to the questions referred to by the hon. leader of the opposition, could be laid on the table. The dismissal of Mr. McLean, of Mr. McCully, of Mr. Forman, the delegation and other matters of material interest and import have been dragged into this discussion; and I with others, as public men, are asked to condemn the administration

on *ex parte* statements, unsubstantiated by testimony, unsupported by facts. The public documents, affidavits and correspondence connected with these matters must be submitted before I will consent to deal with questions of great magnitude and importance to the people of this country. Is it fair or right to ask me as a public man to deal with public questions on idle words, rumors, slanders or vague reports? Such a course of conduct would be beneath the dignity of any private person, to say nothing of adopting it in a deliberative Assembly. I am sorry, however, to say that this system is becoming but too prevalent, and that many speeches are made here composed of but little else. Take that delivered by the hon. member for Newport. It was made up of a stale repetition of newspaper editorials—of old stories relating to the improper conduct of the Railway—the Hants election, and a detail of the mode in which their canvass had been conducted—how they acted, canvassed, voted; and I certainly expected that a man of the standing of the hon. and learned member for Colchester would not so far have forgotten his position as to have recourse to this style of argument, and come here relating conversations touching the grasshopper rate at which the Railway runs to Truro. While speaking of this Railway I cannot help remarking on the course pursued by many of those who in common with myself aided in introducing these great public works into our country, and who are now endeavouring by every means in their power to depreciate them in public estimation. I assume part of the responsibility attaching to those who advocated the construction of Railways with Provincial funds, and should feel degraded in my own estimation if I could so far forget that honorable consistency which every public man should strive to preserve, as to seek the destruction of that which is partly the work of my own hands.

We are told that the present administration are enemies to responsible government. From what has come under my personal knowledge in the county of Digby, I have no hesitation in saying that the government has done more to develop the principles of responsible government, in the appointment of an officer under the government—thereby evidencing their general policy—than the previous administration ever did. I have always held that the Executive in those matters should acquiesce in the suggestions of those members who afford them their support. Were it possible to afford hon. gentlemen the information relating to the subject to which I have referred, they would have no difficulty in bringing their minds to the conclusion that my statement is correct.

The Maine Law, the Elective Legislative Council, and Municipal Incorporation Bills, are all old hackneyed stories, which have been discussed in the house time and again, and are entirely foreign to the question now under discussion; nor can they have the slightest weight on the mind of any man to induce him to oppose the administration. The hon. member for Windsor has himself said, that these are all minor matters, light as air, compared with the one great question on which he intends to found and predicate his own vote against the administration. He tells us that the Catholic body rules the country, because they have given their adhe-

sion to the present government. I am not a Catholic, and yet I followed their example, nor have I ever regretted the day I refused to assist the hon. member for Windsor in proscribing that body. Let not hon. gentlemen imagine, because they assert that proscription is not on their banners that the country will believe them. Their every act exhibits the desire of, and intention to, take away from the Catholics the privileges to which as Nova Scotians, they are fairly and justly entitled. So odious to me has this question become that I hate its very name.—it has become disgusting, and, if I may use the expression, stinks under the nostrils of three-fourths of this people. What is at the bottom of the cry? Personal and political aggrandizement—the desire to overturn the government and bring back the opposition to power. Disguise it as you may, this is the main, the sole object of those who cry out against Catholic influence,—let them but cross the floor to-morrow, and the voices which now denounce them would be hushed. They talk of Catholic ascendancy, but forget that there is such a thing as Presbyterian and other denominational clannism, and bigotry. The supporters of the opposition of the present day, I conceive, are bigots and proscriptionists of the worst kind; and I think I may fairly say, that they will never be satisfied until they extort from 80,000 Nova Scotians the political power which is their birthright, and degrade and trample them under foot. Sir, although I represent a Protestant township, with but a handful of Catholics in it, yet I would forget my right hand before I could forget the principles of civil and religious liberty, which I have always espoused, or unite myself with the hon. member for Windsor in his crusade against the Catholic body.

That hon. gentleman goaded to the last resort of a political refugee, asks the Protestants to band themselves together to destroy politically 80,000 Christians in a Christian land. His restless spirit did not allow him to remain satisfied with the establishment of responsible government. In a celebrated passage in his letters by which this crusade was commenced, he says—"Let us take a survey, look round and see what is next to be done." He did so, and after the field was surveyed—after he had maturely looked around, he decided on making an attack on the liberties of the people which it was his previous boast to have established. He grossly insulted the Catholic faith, and I think any reasonable and candid minded man will bear me out in the assertion that had the hon. gentleman so insulted either the Methodist, the Baptist, the Presbyterian, or the Episcopalian creed, all political union between himself and the members of those bodies would have been thenceforth at an end. I cannot believe there is a Catholic so degraded in the Province as after his conduct, to give him political support. Nor, sir, do I believe that any Catholic can vote for that amendment after the observations made by the hon. and learned leader of the opposition; the course pursued by that hon. gentleman since the disruption of the late government, has ratified and sanctioned the action of the hon. member for Windsor, so that now it is impossible to separate them in a political point of view, they occupy the same platform, they maintain and defend the same principles, and if anything were wanting to define the position of the hon. and learned member for Inver-

ness, it is to be found in his speeches, wherein he openly announces his intention of controlling the power of Catholics by establishing a government on a purely Protestant basis.

The hon. member for Windsor tells the house that the country is waking up, that Protestant influence is permeating throughout the land, and doing political work. In fact, sir, both he and the hon. leader of the opposition do not disguise their belief in a speedy advent to power. I do not believe that their anticipations will be realised. Perhaps some Protestant bigotry may have been inflamed and excited, but I do not think it has extended as far as they imagine. If, however, their predictions be justified by the result, I shall be content to remain at home, conscious of having performed my duty to the country in not yielding to a principle that I believed to be unfair and unjust. It may be true, but I have yet to learn that Novascotians are to pin their faith on any one man. The doctrine of follow my leader I never did hold; but while I do not unnecessarily obstruct my party, but afford them a steady and consistent support, yet sir, I claim the right of private judgment and of differing with them whenever I conscientiously entertain diverse opinions to those which they hold on great public questions.

Now, sir, since this debate commenced with poetical effusions, I may perhaps be pardoned for quoting one in conclusion. The hon. and learned leader of the opposition is going to the country, his banner bespangled with proscription, and hopes to succeed in returning with a majority at his back, to power. Sir, he may be disappointed—the majority may turn out to be a minority, and the hon. gentleman be induced, with that hapless woe of old, to exclaim, substituting the people of Nova Scotia for Sally Brown—

“Oh! Sally Brown—Oh! Sally Brown,  
Why did you serve me so;  
I've met with many a breeze before,  
But never such a blow.”

Mr. ANNAND said.—The hon. and learned gentleman, who has just resumed his seat, asked this house and the country on what this debate is founded—what objection there is to the address, and what evidence there is before the house to sustain the resolution moved by the hon. and learned member for Inverness? He says that there is not a tittle of information before the house enabling hon. members to form a proper conclusion upon the subjects to which our attention has been directed. Let me remind that hon. gentleman that when a change of government took place some two years since the hon. and learned Attorney General pursued a course exactly analogous to that now adopted by the leader of the opposition. I ask the hon. member for Digby this question: When the hon. and learned member for Annapolis moved his want of confidence resolution in 1857, what was there before the house to justify such a resolution? Was it not entirely founded on out door rumors? The hon. gentleman had heard by report that secessions had taken place from the ranks of the government, and he immediately sprang to his feet and proposed a resolution to the effect that the government had forfeited the confidence of the house and the country. With the experience of his action before us, I ask the house if the leader of the opposition is not entirely justified,

under the circumstances, in asking this house to say whether the present administration do or do not command the confidence of the people's representatives? Sir, I think it will not be denied that we are justified in appealing to this house and through it to the country, and asking their decision on the great issue now presented for our consideration.

The hon. leader of the Government informed the house that so far from becoming weaker, the government had been growing stronger day by day since the Catholic body crossed the floors of the house, and gave him the reins of power. Sir, I was much surprised to hear him make that statement. I do not hesitate to say that the Executive is infinitely weaker now than it was in 1857, nor will I be at much difficulty to shew good and sufficient reasons for that statement. It is well known to hon. gentlemen on both sides that a member now absent seceded from the government at the last session, and gave in his adhesion to the opposition. I allude to the hon. member for the South Riding of Colchester. My object is to bring the hon. and learned Attorney General to look on this point and shew, from incontrovertible facts and figures, that his statement was inaccurate.

Since the last session an election has taken place for the county of Colchester. The majority of the late Mr McLellan—a most valuable and efficient member of this house, whose demise we all regret sincerely—was, at the last election he ran in that county, 167. In the year 1858, with 100 Catholics changing sides and voting directly against the opposition candidate, the government candidate who, if there had been no other change, should have been returned by a majority of about 33, was defeated, the son of the late member, who I am glad to see here, and who will, I feel assured, prove an ornament to the house, was returned by a majority of 385. Does not this conclusively shew that the question put before the people have taken deep hold on their minds? Does it not prove that they feel how necessary it has become to check the powers of an ecclesiastical power, which is threatening the subversion of our liberties. That is the conclusion to which unprejudiced minds must come when they reflect that 213 Protestant conservatives have, in that single county, changed hands.

A few months afterwards an election took place for the county of Hants. All who listen to me know how they bragged and boasted in the organ of the conservative party, which is supposed to be written up by the pen and directed by the genius of an hon. member of the government, of the signal defeat which the opposition candidate would sustain. In that election, sir, we had the singular spectacle of the hon. Provincial Secretary, who, time after time, in this house, had denounced the course pursued by other hon. gentlemen in going into counties not their own, and opposing those candidates who differ with them in opinion.

HON. PROVINCIAL SECRETARY.—No.

Mr. ANNAND.—I may be mistaken as to the action of the hon. Provincial Secretary, but every member of the house will bear me out in the assertion that the hon. and learned leader of the government has time and again, in the hearing of the Provincial Secretary and with his tacit acquiescence, fulminated the thunders of his wrath against this side of the house for pursuing that

course; yet we saw the hon. and learned Attorney General and the then Provincial Secretary attending in that county, organising, speechifying, and preparing for that election. How did they succeed? My late friend Mr. Dimock was returned by 68 votes—and if the Protestant Conservatives had remained as they were when Mr. Dimock won his election, the opposition candidate would have been returned by a majority of five or six hundred. Of 300 Catholics who voted for Mr. Dimock, scarcely one supported the present member, Mr. Smith—it follows therefore, that his opponent should have beaten him by about 532—instead of which the hon. gentleman who now sits on these benches was returned by a majority of 245; and the government, instead of the gentlemen on this side of the house, were sent “cowering to the wall.” (Laughter.)

This will give some idea of the immense change that has taken place in Hants county, but we have evidence still more pertinent and convincing on this branch of the subject. Look to Annapolis, when the hon. Attorney General ran his election in 1857, he had a majority in that township of 225; Mr. Shaw, the present member, had a majority of 101—showing a Protestant reaction in ten months of over 181 votes. Again, sir, when the hon. Provincial Secretary ran his election in 1856—his majority in Cumberland was about 252—it was reduced in 1857 to 125.

HON. PROV. SECRETARY—No.

MR. ANNAND—Then it was about 130.

HON. PROV. SECRETARY—No.

MR. ANNAND—I am right within a few votes, and feel quite confident that the difference does not exceed 8 or 10 either way. And yet, sir, with 200 out of 300 Catholics in that county voting for him who had changed sides, we find him sitting here with a bare majority of about 130, which would have been 652 but for the immense Protestant reaction in that county at the very inception of the new government.

It was the habit of the hon. gentlemen opposite to taunt us when they were in opposition for not bringing down measures; let me ask how many measures have been submitted by the present government since they came into power? But one; that relating to the Mines and Minerals, which they themselves boast they filched from the opposition, a boast in which I do not acquiesce, because the gentlemen on this side of the House would never have consented and did not consent to the passage of a bill which has extracted a large sum from the Provincial Treasury, and the effects of which have only been advantageous to the company that for a century have held a monopoly of the Mines and Minerals of this country.

True, they had the hardihood to submit for the consideration of this House the Elective Legislative Council Bill, a measure which they could not carry, and on which they suffered a signal and inglorious discomfiture. Where is it now? Has the hon. and learned leader of the opposition lost faith in the propriety and beneficial effects of that bill which with unwearied pertinacity, he pressed on the consideration of this House for years, occupying its time and distracting the attention of public men from measures of general public utility? Or, sir, are we to conclude that his faith in the strength of his government is shaken and that he dare not test the sense of this House on the principle of that bill?

The hon. and learned leader of the opposition

says, that the government is daily growing stronger in the house and country. Is it so? Where is the evidence of that fact? Is it to be derived from their acts? Let us see: Last year the government had a supporter in this house in the person of a Solicitor General. This year we have no such officer in the country. The vacancy has occurred by the resignation of the honble. and learned member for the township of Picton. Why is it not filled up? The answer springs at once to the lips of every man acquainted with the subject: because the government are not strong enough. They number among their supporters several gentlemen belonging to the learned profession, eligible to the office, and yet they dare not make the appointment, lest the example of Colchester and Haits should be imitated by the county to which the person appointed would be, under responsible government, necessitated to appeal, and a new evidence afforded of the growing influence of the opposition, and the rapid weakness of the government.

Again, sir, when one hon. member of the Upper Branch of this Legislature passed away from this mortal scene, not a moment was lost in appointing a gentleman from Lunenburg, Mr. Creighton, to fill the vacancy. Of that appointment I do not complain, a more valuable and industrious member never had a seat in this house, and he fairly earned his elevation from the people of this country. But how comes it that the vacancy occasioned by the death of an hon. gentleman from King's has not yet been filled up? Does the government refrain from making that appointment because the seat is demanded by a representative of the people in this house, whose appointment would necessitate a new election for that county? Do they abstain from performing their duty in this case also because they fear that an election in that county would result in the return of a member to this house opposed to the government? These, sir, are the evidences I produce to shew that instead of being stronger, the government are daily growing weaker and weaker. There is, however, one other illustration of the imbecility of the administration to which I may refer. A couple of letters over the signature of a conservative appeared in one of the morning papers; a strong government would have disregarded these effusions—but so wanting in dignity, strength, and self-respect was the administration, that one of the supposed writers was appointed to a seat at the Railway Board, and the other to the office of Judge of Probate. So open and undisguised was their action in these instances, that a general and pervading belief took hold of the public mind, that the only mode of obtaining a situation for a Protestant supporter of the Executive, was to exhibit signs of mutiny, and the weak and vacillating advisers of his Excellency would at once find them offices to close their mouths.

The hon. Provincial Secretary informed the house that Mr. McNab was selected to fill the office of Chairman of the Railway Board because he was one of the most competent and efficient men in the country for the performance of the duties connected with that office; he might have added because the government could not find in their own ranks a man capable for the situation. He also stated that Messrs. Fryer and Anderson had been retained at the Board to aid in carrying on the Railway; but the hon. gentleman for-

got to tell the house why it was that those two gentlemen retired from the Board. Was it because they approved of the dismissal of Mr. Forman and the appointment of Mr. Laurie? Nay, was it not because they resented the dismissal of the former? Then they were told that a Presbyterian and a Methodist had been selected to fill the vacancies at the Railway Board.

Now, sir, I lay down this broad principle that no man should be appointed to office because of his religious opinions. I am a Presbyterian, but I would not countenance for an instant the appointment of a Presbyterian to office merely upon the ground that he belonged to that particular denomination of Christians; nor would I care if there was not a single Presbyterian in office in this province, provided always that the offices were filled by well qualified persons—the right man in the right place. That principle should not be recognized or acted on in any free country; it is opposed to the well being of the state and should not be countenanced by any government.

The hon. Provincial Secretary quoted Mr. Forman as the best authority why Mr. Laurie should receive £1500 a year. On this point let me say that if Mr. Forman be the man he has been represented by the Government in their organ, then his testimony is of no value; but, sir, I do not believe this. I think that Mr. Forman has expressed his convictions, honest convictions and feelings—and yet this government, the members of which do not scruple to malign and asperse his character—to wound his feelings—and deprive him of his living without cause, are content to adopt his testimony when they find it necessary to bolster up their own unjust and unprincipled acts. Mr. Forman's testimony, however, does not justify the payment of this enormous salary to Mr. Laurie. He tells you what he expected to receive when he left the mother country,—and we all know what he did receive. It is clear then that he was willing upon his arrival here to take the amount tendered him by the government, for he held the office several years—performed the most laborious portion of the duty and received only £937, while Mr. Laurie gets £1500.

We are told of Mr. Forman's incapacity. What I ask, did Mr. Forman's own colleagues—the men who sat at the Board with him and watched with vigilance his proceedings, what did they think of his capacity? Of his diligence? Of his integrity? What opinion did they entertain of him as a man? Let me read a letter written by those gentlemen to Mr. Forman immediately after he was so cruelly and unjustly removed from office.

“RAILWAY OFFICE,  
Halifax, 26th Aug., 1858.

Sir—As your connection with the Railways of which you have been the Chief Engineer since their commencement in this Province has ceased, and as your conduct in that capacity has been constantly under our observation since the year 1854, we conceive it an act of simple duty to record our opinion of your unwearied *diligence, energy, and skill*, and our unabated confidence in your *integrity*. Our intercourse with you has always been of the most friendly and confidential character, and in the emergencies that have from time to time arisen, we have found you *fully*

*competent to the duties of your office*. We have often marked your anxiety to *push forward the works with all possible celerity, and to economise the public money*, and, in parting with you, beg to assure you of the sincere regard and esteem with which we remain,

Yours, very truly,  
(Signed) JAS. McNAB,  
W. PRYOR, Jr.,  
JNO. H. ANDERSON.”

J. R. Forman, Esq.”

Hon. PROVINCIAL SECRETARY,—Who wrote the letter?

MR. ANNAND.—I neither know, nor care not who wrote it; I am aware that Mr. McNab took a night to reflect on the consequences, and he after having maturely weighed its contents, affixed his signature to that document.

But enough, sir, these disinterested and competent judges have over their own signatures publicly recorded their confidence in Mr. Forman's “*diligence, energy, skill, and integrity*,”—they could have no interest in bolstering up his character if they did not believe him entitled to the praise,—I say these men certify as I have read—and who are they that condemn him? The government who find it necessary to excuse themselves from an arbitrary, unjust, and improper exercise of the power conferred on them by the people. Which of the two will obtain credence among the people of this country cannot be doubted for an instant.

But, sir, the Provincial Secretary tells you that no passenger has yet lost his life on the Railway. Small thanks to him for that. He says an engineer did lose his life under a previous administration, on one of the short curves. He is in error; the accident alluded to occurred on one of the straightest pieces of the road on the whole line, near the three mile house, and was occasioned by his own recklessness in driving over the line rapidly with an engine when the ice lay thick on the rails. But, sir, another driver lost his life under the present administration. I do not charge that either on the administration or the Board of Commissioners, but somebody is responsible. I ask, in all seriousness, who killed Miles McDonald? He was running over the road at the rate of ten miles an hour, his death, therefore, can not be attributed to his own want of discretion. Sir, the circumstance occurred on a piece of road near Elmsdale Station, constructed during the last few months, which the government ordered to be opened for traffic and travel; it was in such a wretched and unsafe condition that in any of the States of the Union an injunction would have been obtained prohibiting the working of that portion of the road. Upon it Miles McDonald met his death. I ask again—who killed him? I will be prepared to prove out of the mouths of their own when the papers are brought down, that the road was unsafe, and that the life of every passenger in every car that passed over it was imperilled during the transit. From the evidence of an officer of the government taken before the coroner's jury these facts will appear; why were they not published that the public might have an opportunity of forming their own opinion?

The hon. Provincial Secretary made reference to the organ of the opposition, and stated that bold and unblushing mistatements had been propogated

ed by that paper, with respect to the dismissal of Sheriff McLean. Sir, every word published in the paper referred to, respecting that dismissal can be corroborated by the facts. He told the house that a memorial from a large number of his constituency, insisting upon the dismissal of Sheriff McLean had been forwarded to him when in London, and that a charge was preferred against that officer subsequently.

Hon. PROVINCIAL SECRETARY.—I stated that I found on my return that a charge had been preferred; it did not follow my return.

Mr ANNAND.—Well that is but tweedle dum and tweedle dee. The memorial I refer to made it a *sine qua non* that Sheriff McLean should be dismissed, which the learned gentleman says was sent to him in London, and which was followed by an affidavit from one of the same parties, a near connection of the Hon. Provincial Secretary.

Hon. PROVINCIAL SECRETARY. No; I said the memorial and affidavits were placed in my hands after my return. The gentleman who made the affidavit did not sign the memorial.

Hon. Mr. HOWE.—We had better adhere to the rules of the House; this is the fourth or fifth interruption that has occurred already during the delivery of my hon. friend's speech.

Hon. ATTORNEY GENERAL.—The interruptions complained of are the necessary consequences resulting from the discussion of a question before the official information connected with it has been submitted.

Hon. PROVINCIAL SECRETARY.—It is impossible ever to correct, by any subsequent speech, the effect of words put into a member's mouth. If a mis-statement be made, the answer should be permitted on the instant, or it can never be effectually refuted.

Mr. ANNAND.—The Provincial Secretary has misunderstood me; I said, and say still, that the person who made the affidavit was a member of the party. I ask him, if Mr. McLean, instead of being a member of the opposition, had been a supporter of the government, whether we should have ever heard of the memorial or the affidavits? No, sir. Gentlemen opposite may say what they please, but they cannot controvert the fact that his dismissal was forced on the government. The venerable chief justice did not know the politics of Cumberland as well as members of this House, and acquiesced in that dismissal because he thought the government wished it, and because he believed that the testimony came from a disinterested witness.

The hon. Provincial Secretary also says that the opposition press threatened the hon. member for Inverness that if he did not come up manfully on the Catholic question the confidence of the party would be withdrawn from him. I should like to ask him to point to the passage and shew me when and where that threat was used.

Hon. PROVINCIAL SECRETARY.—If the hon. gentleman goes on categorically to question me and put words in my mouth which I never uttered,—I must reply to him. What I did say was that the hon. and learned leader of the opposition had received significant hints that unless he did so and so, the party might dispense with his service; I said therefore he felt it necessary to come up to the mark.

Hon. Mr. Young.—If there were any such sig-

nificant hints, they were entirely thrown away on me. I never heard of them until they were mentioned by the Provincial Secretary.

Hon. PROVINCIAL SECRETARY.—I referred to a letter which appeared in the *Morning Chronicle* over the signature of a gentleman in the other end of the building.

Hon. Mr. Young.—Oh! is that all.

Mr. ANNAND.—Then we are told by the Provincial Secretary that the opposition press had urged the prosecution of the author of the Synodical Letter, for blasphemy. Again, I ask, when and where did this occur? That statement was published as having emanated from the lips of the Rev. John Martin, a highly respectable minister of the established church of Scotland. Again we are told that the opposition deny the Catholics the right of private judgment; sir, we never did, but what we complained of was that they did not exercise that right—but were driven to the polling place as sheep to the shambles, at the dictation of one man. Why, sir, even at the present day the hearts of many of the Catholics are with us;—they dislike their associates, and would be only too glad if the opportunity were offered to join us again. We quite understand the policy of the Roman Catholic Church—they will help any party that will help them. The interests of the Church is superior to all other considerations, and I have no hesitation in stating my belief that if the leader of the opposition would only promise them a Separate School Bill, they could command the support of the Catholic body to-morrow.

The Prov. Secy. more than insinuated that we were coquetting with the Catholics, and that we held out the idea that they were insulted, because Mr. McKeagney was passed over, and Mr. Fairbanks was appointed to the Land Office. I believe sir, that some laughing remark of that kind was made by the press, and not without reason. For if the Provincial Secretary had not held out the idea that, at least, one head of department should be filled by a Roman Catholic—and if that office had not been promised to Mr. McKeagney, who came up here to take possession of, and would now have been installed in it, but for the pressure of Protestant Conservatives in this city—then that remark would never have been made. Some of the most influential supporters of the government, in this city, threatened to withdraw their support if Mr. McKeagney was appointed.

PROVINCIAL SECRETARY.—No!

Mr. ANNAND.—I beg pardon—I can name the men. The party with whom I act in this country have ever held the doctrine that no party, no body or class of men should be proscribed. We hold and ever have held that every man should occupy the same position, and exercise the same privileges—from those principles we have never deviated an iota. I would not consent to give an office or withhold an office from any man on account of his religious opinions.

Now, sir, while on this subject, let me turn the attention of the house to the Protestant Manifesto of the 7th March, 1857, which has been so much misinterpreted. That document contains the following paragraph—and I give this in answer to all that has been said with reference to the cry raised against the opposition of their being proscriptionists in principle:—

“ Equal privilege to all should be our motto, ascendancy to none—proscription to none.”

How then can the hon. Provincial Secretary with any face assert that we are going to the country with Proscription inscribed on our banners. No, sir,—“proscription to none” is and ever will be the motto of those who oppose the present administration—while the government cannot endorse the sentiment, “Ascendancy to none”—because they have been, and are the creatures of the Catholic body.

Sir, I was somewhat startled at a statement made by the hon. and learned member for Sydney, who declared that there was no Catholic pressure on the late government.

Mr. HENRY.—The hon. and learned member for Inverness said that the government was broken up by Catholic pressure. I denied that statement and asserted what I am willing to maintain, that the hon. member for Windsor was the cause of the disruption of that body.

Hon. Mr. HOWE.—The hon. member for Sydney has misstated facts over and over again, so that I do not feel it necessary to reply to him.

Mr. ANNAND.—I am perfectly willing that hon. gentlemen should have an opportunity of explaining themselves—but these repeated interruptions look as though there was a design and intention on the part of some hon. gentlemen to prevent me from addressing the house. Now, sir, we are told that the Catholics did not press for appointments. When the first Railway Board was organized, the Halifax Catholic, which, it will not be denied, was the organ of the Roman Catholic body, contained the significant hint that *only one Catholic* had been appointed to the Board. Those who deny that there was any Catholic pressure on the late government, will find their answer in the Roman Catholic organ of March 15, 1856, where, in a notice to correspondents, we find the Editors holding the following language :

“Lately, very many communications from correspondents have reached us, requesting publication of their views of what they conceive are deprivations in the political field, under which they are suffering. The Catholic population, the burden of them sings, possesses an *absurdly disproportionate share of the patronage in this Province, and of all the offices of any importance scarcely one is filled by men of our creed.*”

“And we are now to learn that it always was the amiable design of some of the persons belonging to the party that Catholics espoused, *to receive our votes, but deny us any part of the power they obtained.*”

“On one occasion before we remarked that people linked themselves together for political purposes, with only one intention,—the furthering of their own interest ; and if any subdivisions of a political section find that they are invariably treated with neglect, they are slaves or fools to continue the connection longer, but are obliged in decency to their own views, to look for more prosperous openings for their exertions.”

Is it not apparent, then, that the Catholic body were dissatisfied because office was not conferred on them ;—that feeling they expressed through their organ,—they did look out for more “prosperous openings.” And when they thought the

time had arrived they seized hold of the first excuse for deserting their old friends, and in a body allied themselves to the Conservatives ; not upon principle, not upon any great public question, but simply because they desired to obtain an ascendancy in the province, by shewing that they, united and bound together by religious ties, could make and unmake an administration as they pleased. But, sir, there is still further evidence of the manner in which the Catholic body sought to dominate in this country. Let any man read the letter of the hon and learned member for Sydney, Mr. McKeagney, a gentleman for whom an office was created by the existing government, and then say whether or not the Catholics pressed for office ; the passage reads as follows :—

“No sooner had Mr. McLeod’s resignation taken place in 1856, and his opposition, together with my own, been directed against Mr. Young’s government, on the ground of their unjust exclusion of Catholics from office, than Mr. Ward came out in his paper, condemning our conduct, ranged himself on the opposite side of the question, and endeavored to stir up against us the hostility of our constituent.”

There it is, plain as A B C. The opposition Mr. McLeod and Mr. McKeagney was directed against Mr. Young’s government on the ground of “their unjust exclusion of Catholics from office.”

For Mr. McLeod as a man, I had the highest respect, but there were two objections to his appointment to office :—first, the state of his health, and secondly, the fact that he was a lawyer—for I believed that there were too many of the learned profession in office at that time.

The hon. Attorney General says that the Government is strong and is daily growing stronger. The Provincial Secretary says the Opposition is factious, and therefore the government cannot bring down and carry measures of public utility. Surely these statements are contradictory. If the government is so strong these factionists could not prevent them from carrying their measures. The Provincial Secretary has conclusively answered the Attorney General, for it must be apparent to all that a government which cannot carry measures which they deem essential to the public weal, has virtually ignored its functions, and are unworthy of the confidence of this house and the country.

The hon. Provincial Secretary read a long extract from a speech delivered by Mr. Howe at Preston in 1847, in which he ridiculed the cry that he was laboring to establish Catholic ascendancy. Who raised that cry? The newspapers which then supported the hon. Attorney General, and foremost among them the Christian Messenger, a paper, which then, as now, reflected the opinions of the leader of the government. With all our recent experience of the aggressive spirit of that body, we are told that there is no Catholic pressure, no danger of Catholic ascendancy ; but what said the Messenger of 1847. I quote a couple of paragraphs from the No. of 11th June, 1847.

“We stated it in our last as our opinion that the *great battle between Protestantism and Popery was about to be again fought over.*”

“We do not wish to speak more strongly on this exciting subject, than its real importance de-

mands. We cannot however but feel the deepest conviction that our present position involves interests of the utmost moment to the future independence and welfare of the country. Our only desire is that a calm and attentive review should be taken by the Protestant public of the true nature of the marks which distinguish the pretensions of a restless and increasing portion of their numbers, in order that whenever the occasion may call for it, those who truly value the civil and religious blessings we enjoy, may be ready to oppose an effectual barrier to their unreasonable and dangerous encroachments."

Nor was this cry of Catholic ascendancy confined to the newspapers. It was countenanced and encouraged by the hon. Attorney General himself. It was the Conservative text at every hustings; for we were then, as now, on the eve of a General Election.

But, sir, we are told that because the Liberal party acted with the Catholic body in 1847—therefore they should not oppose them in 1859. The argument is unsound because the circumstances are entirely different; at that time, the Catholics had not pressed for office on the ground of their Catholicity,—it was not asserted that they were debarred from the exercise of their just rights;—the Protestant Bible had not been pronounced reprobate by an assembly of Catholic bishops in the heart of Protestant Nova Scotia; no demand for separate schools had been preferred by the Catholic body;—there had been no Railway riots;—no Catholic pressure on our courts of Justice to favor the escape of their co-religionists from the consequences of their crimes.

For these reasons the Catholic body do not stand in the same position now that they occupied in 1847; at that time, being content to stand on the same footing with all other denominations in the country, they received their fair and just proportion of influence. But what said the hon. Attorney General of them at that time in a speech delivered at Bridgetown?

Referring to a mandate in the *Cross*, the Catholic organ of that day, to band Roman Catholics together to keep certain Protestants, who were then supporting the Attorney General, out of the Assembly, the learned gentleman said—

"I hesitate not to say that such a combination is dangerous to the peace and welfare of the country—and this would be a question worthy of agitating the Protestant people, and awakening Protestants of all creeds to a sense of their danger. If ever I commenced agitating it would be against a religious party banding itself together as one man to effect its own dominancy, or political exaltation."

That is the way the hon. leader of the Government spoke of Catholic ascendancy in 1847. He was then ready to lead a crusade against that body, but now, having entered into an alliance with the Catholics, having found that they may be useful in furthering his personal views, the cry of Catholic Ascendancy is suddenly discovered to be a bugbear and a delusion.

Much has been said about closing the public offices and the story of the flag. Hon. gentlemen opposite attempt to explain the latter incident by saying that a servant did it. Did a servant also close the public offices? Who issued the order for closing them? I have heard of an attempt to

lay the blame on the clerks, but at length we find it stated for the first time in the *Colonist*, in an article probably inspired by the Provincial Secretary himself, that the order was given by a member of the government.

Hon. PROVINCIAL SECRETARY.—The hon. member has committed himself; he well knows that shortly after the the circumstance to which he alludes, it was publicly stated in the *Colonist* that the offices were closed by order of the Attorney General.

Hon. Mr HOWE.—Are we never to have an end to these interruptions?

Mr. ANNAND.—I never saw the statement referred to,—probably it was made during my absence from the city; at all events, we have some one now to assume the responsibility. The Provincial Secretary's statement only makes the matter worse for him and the government. The act of the Attorney General is the act of the government.

Let me ask this question. Would that order have been issued if, instead of the Catholic Archbishop, the Rev. Dr. Crawley—Mr. Johnston's own particular friend, and an able and distinguished member of the Baptist denomination, the Rev. Dr. Cramp, President of Acadia College, the Rev. Dr. Ritchey, the Chairman of the Wesleyan Conference, the venerable and Rev. John Scott, the virtual head of the Established Church of Scotland in this country—aye, even his Lordship the Bishop, the recognised head of the Established Church, which is the bulwark of the Constitution of England,—any or all of these had died? Nay, sir, suppose they had all died on the same day, and been buried in the same coffin, would that order have been issued? I maintain that it would not; and even if it had been, the Roman Catholic body would have been justly incensed, as they would have had a right to be, at any such mark of inordinate respect paid to any particular religious body. I charge home on the government that act, so unjustifiable, as one of the proofs of Catholic pressure and Catholic ascendancy in this Province, and I here, in conclusion, protest against the continuance of any government in this Province holding its position at the will of a foreign ecclesiastic.

Mr. McDONALD said:—So many complaints have been preferred time and again during this discussion, of the needless protracted character of the debate, that I have felt unwilling to occupy the time of the house with any remarks on the subject under debate. But, sir, gentlemen on both sides of the house, I think, will do me the credit of saying, that I have never been guilty of wasting the people's money, either by long speeches, or by frequently addressing the house, and I therefore trust that I shall be excused if I occupy the house for a very short time in giving some of the reasons for the vote which I intend to give in support of the amendment.

I may say, sir, in commencing, that my reasons in general are very similar to those expressed last evening by my honorable friend from the township of Halifax. This is now the last session of the present house—in a few months the people of this province will be called upon to express, by their votes, their opinion of the acts of both parties in this house; and it is, therefore, not only a matter of right to ourselves, but a



duty which we owe to our constituents, to express, each and all of us, the opinions which we entertain of those now in power.

We are told that this is a bald resolution of want of confidence against the Government, without any specific complaint being on the table of the house, and that in the course of debate, grave charges have been made on various subjects, which the house cannot now pass upon, because the papers relating to those subjects have not yet been brought down. I believe, sir, that such a course is not without precedent in this house—nay, that it has always been the practice by motions of this kind, to open up for trial the acts and conduct of the government, on all, any, and every act of theirs, which may appear reprehensible to any member of this house, and to enquire whether the confidence with which they were entrusted at the time of their assuming the reins of power, should still be extended to them. We are perfectly at liberty to enquire, under the present motion, whether their railway policy as a whole has been a sound one—whether they are justifiable in the dismissals from office, which, in my view, they have made in an arbitrary, unconstitutional, and unjust manner—whether they are incompetent to the performance of their public duty, and have exhibited that incompetence in a pusillanimous shrinking from the performance of those duties which their position imposes upon them—and whether they have not forfeited public confidence by giving undue ascendancy and predominance to one religious body over all others in this province. I have said, sir, that the course is not without precedent, and I can point to nothing more strongly proving the fact, than the course of the present government in 1857, when, in the eagerness to grasp the reins of power, they moved and debated a vote similar to this, and delayed the business of the country for two weeks before it was settled.

Doctors sometimes have to swallow their own medicines, and we are now only administering the same dose which they themselves prepared in 1857. What the effect of it may be is perhaps difficult to tell. Perhaps it will be too much, under all the circumstances of the case, to suppose that the medicine will kill them (politically I mean); but we may at least hope that it will tend to cure some of their irregularities. And, sir, if it does nothing else, we on this side of the house are under the impression that it will give our cause a valuable impulse. The government have, within the last summer, appropriated the sum of £600 stg. in securing a valuable impulse, according to their own account (laughter); and surely it is not too much for the opposition to appropriate a few days of the session in securing the same important result.

But, sir, the general style of argument with which the various charges made against the government have been met, appears to me most extraordinary and unstatesman-like. When taunted with their want of strength—with failing to propound any measures of general public utility, do they account in any reasonable way for their diminished numbers, or give any good reasons for the absence of measures? No, sir; they think it sufficient to say, we may be weak, but we are as strong as you were—we have no business for you to do, but you were worse—we have not propounded any measures, but neither

did you when in power;—again, if we yield to Catholic pressure, so did you.

Now, sir, we have had entirely too much of this—*et tu quoque* style of argument; it is not dignified to say the least of it, and not the style of reply that will satisfy the people of this province, or that should satisfy the members of this house. Will it be any answer to my constituents, when asked to explain why the present government is allowed to pass through the present session without an enquiry into their acts, for me to say it is very true that they have acted very badly, but then they tell me that a government ten years ago did a great deal worse—or that other members of this house on previous occasions acted precisely similar. Surely the fallacy of such an argument must at once strike the mind of every man who reflects on the subject.

But, sir, I ask if such a reply is in point of fact true? Did the late government propound no measures? I say, sir, that that is not the case. Look at the Education question, and when I refer to that, I may say, that if there were no other objection against the present government excepting their conduct with regard to the bill of the late government on that important subject, it would be more than sufficient for me to declare by my vote that I had no confidence in them. Sir, the question of education is second to none, that can possibly occupy the attention of this Legislature, and it is one in the face of the consideration of which the voice of faction should be hushed, and every word of party differences stilled. Does not every member of this house remember the spirit that actuated the then opposition, and the factious course pursued by them in reference to that important measure. Soon after the bill in question was laid on the table, it became apparent that there was a considerable section of the house of the Catholic religion, that would not support any measure for the improvement of education, notwithstanding that attempts had been made by certain modifications of the bill, to meet their views and carry through a law of some kind. A vote was then taken affirming the main principle of the bill, that of taxation, which was carried by a large majority, and thereupon a committee to be composed of one member for each county was appointed for the purpose of maturing such a measure as could be acceptable to this house and the country. But, sir, were it not a fact that we are all aware of, we could scarcely have believed, that so determined were the late opposition to get into power by any and every means, that so far as I can remember, not a single man who had been appointed on the other side appeared at the committee meeting. I will not be positively certain as to whether none of them attended, but this, sir, is certain that the arbitrary, uncompromising views of one class in the house were urged in a spirit of such uncompromising hostility, and the opposition of the then leading men of the opposition was so determined, that it was utterly hopeless to pass the measure with any expectation of success, and it was at length dropped.

We have been lectured, sir, by the hon. Provincial Secretary upon what he calls an unreasonable and factious opposition, and he refers us to the conduct of the opposition in England, where notwithstanding that they now have the

actual numerical majority on their side, and could at any moment carry a hostile vote, they still, in order to carry on the business of the country, aid the government of the day in perfecting their measures. I admit the fact, sir, and admire the practice, and I have no doubt the hon. Provincial Secretary is very anxious to see the same thing occur here, but our government is not in a position to claim such consideration at our hands. In England such a spectacle is exhibited when questions deeply and vitally affecting the welfare of the nation are submitted, but here in the speech from the throne they do not announce a single measure of any importance.

F. Again, sir, Her Majesty's ministers never use the weight and influence of her name to crush any man. She defends and protects all her subjects, and the weight and influence of the crown is never used but for the punishment of those charged with crime. The opposition there never have their feelings wounded and their minds exasperated by a heartless persecution of men whom they respect, a kindly feeling is cultivated and maintained between men of all classes, and hence arises that spectacle of co-operation in public business which the Provincial Secretary so much admires. But what do we find here, sir. Take the case of Mr. Forman, as an example of the way in which our government treats our public men. I think, sir, it was my hon. colleague, the ex-Solicitor General, who at one time said the government established in this country was not equal to that of the savages who formerly held dominion in this province. I differ from that gentleman in his opinion, and do not hesitate to say, that our constitution, as administered by the present government, is quite equal to the manners and customs of the savages. The Indian, after slaying his victim, does not feel his vengeance satiated till he has torn the scalp from the body still palpitating in its death struggle. And so our government, with a like noble feeling, not only drove Mr. Forman from his office, but endeavored by every means in their power to blacken his private as well as professional reputation, and thus prevent him, if possible, from ever receiving any employment. The whole weight and influence, not only of themselves, but also of the Queen's representative, is brought to bear against him in minutes of council; and they decorate the poles of the government wigwam with the *Colonist* and extra sheets of the *Gazette*, filled with the most vindictive and groundless attacks upon that gentleman's reputation.

Take again their course with regard to their late colleague, the ex-Solicitor General; and here I may say, sir, that any one who knows the personal antecedents of us both, and who considers as I do his present position in this house, as announced by himself, to be an anomalous and extraordinary one, something like Mahomet's coffin, suspended between heaven and earth, belonging to neither party—anything, I may say, as regards his case, cannot be considered as being prompted by either a personal or political predilection in his favour. But how have they treated him? He was considered quite good enough to be associated with them in the government up to the time that he showed his independence by resigning his office; but no sooner did this take place than another minute of council is issued, and the weight and sanction of the

Queen's representative again called in to blacken his character also. He is charged with disclosing the secrets of council, and in the official organ of the government is held up to the world as a man guilty of perjury, for the charge, if it means anything, means that. What a spectacle do they thus exhibit to the province. If this charge be true, and they knew that that gentleman had conducted himself so improperly, why did they not long ago drive him from their ranks? The dilemma is an awkward one, and in either view of the case I fully endorse the opinion expressed by Mr. Wilkins in his letter to his constituents, that the government by that minute of council have set the seal to the sentence of their own degradation. The treatment of Mr. McCully is of a piece with the others; but as I do not wish to weary the house, I will not enter upon the consideration of that act. I refer to these cases in order to point out the dangerous consequences likely to ensue from the principles upon which the government appear disposed to act. This prostitution of the power and position of the Queen's representative can lead to nothing but evil, if we may judge of the future by what has taken place in the past.

What occurred during the administration of Lord Falkland. If I mistake not the hon. Attorney General was at that time also leader of the government, and very much the same course as that which I complain of was then also pursued. That nobleman, acting I presume under the advice of his constitutional advisers, was indiscreet enough to descend into the arena of Nova Scotia politics, and into the public prints. Over his own name he published certain letters, accusing three gentlemen of factious opposition and misrepresenting their views and opinions. I refer to the late Hon. J. B. Uniacke, Hon. Jas. McNab, and the hon. member for Windsor, whose only crime was that they had left his government because they could not justify a certain appointment which had been made without their consent or knowledge. By that act, sir, the representative of majesty was brought into disgrace and contempt throughout this colony. The men thus attacked, or some of them, replied also through the press, and the consequence was that Lord Falkland was lampooned out of the Province, and left behind him a name and reputation for which few men in Nova Scotia have any respect. I sincerely hope, sir, that our present respected Lieutenant Governor may never experience such treatment, but it will not be from any want of exertions on the part of his present advisers to that end if he does not; and, sir, were there no other ground of complaint against the Government than this itself, I should feel myself bound to support the amendment of the hon. member for Inverness, and say that I had no confidence in them.

The hon. and learned member for Sydney seems to be delighted that this discussion has arisen, and looks forward to their anticipated triumph on the division as a certificate of character, and a direct expression of confidence in the government on the part of this house. I cannot acquiesce in that view, a far more valuable certificate of character would have been secured had there been no complaint made. In that case, sir, the government would have gone to the country at next election, with the boast and declaration that their acts during the late recess had been so

pure and upright that no person in this Legislature had any ground of complaints against them, and the opposition are therefore, not only well justified in raising this discussion, but they would have been guilty of a dereliction of duty had they not done so.

The hon. Provincial Secretary in sustaining his charges of a factious opposition, referred to the conduct of gentlemen on this side of the house, relative to the representation bill of last winter, and remarked that the press in our interest had during the recess offered a most violent opposition to that measure, referring particularly to the *Eastern Chronicle* which he said was generally looked upon as being in a great measure under my control. I suppose it is a matter of no interest to this house whether such is the case or not, were it so, sir, I should not consider that connection as any disgrace, but to prevent any misconception I will simply say, that for the last five years I have not written fifty lines for the editorial department of that journal.—The gentleman who owns and edits it neither seeks nor requires any assistance from me, and he is quite able to take care of his paper and himself. As regards that bill, sir, I may say, that while I look upon the present representation of the province as most unjust, I do not consider that this house is now in possession of data necessary for originating a sound scheme of representation. A great amount and variety of statistical information, as regards the population, trade, and internal resources of the various parts of the province, is absolutely necessary, before we can safely legislate on such an important subject. This can only be obtained by a new census, and until that census be taken, I shall feel myself bound to oppose any extensive material change of the representation.

Again, sir, that hon. gentleman has charged upon the opposition that they acted factiously in refusing to sit upon the railway committee last year. When the committee was first named, I understand that my name was on the list, but at that time I was absent from the house, having gone to the wharf to meet my hon. colleague, who had just arrived by steamer from Liverpool. I am not prepared to say what I might have done as regards that committee, had I been present, but this I am prepared to state, that after a calm review of the whole matter, and considering the position which the contractors occupied towards the province, under their contracts, I fully approve of the course which my hon. friends took in declining to sit on that committee. The relative rights and liabilities of the contractors and the province had been clearly defined by written sealed contracts, and by these both sides should stand or fall. The rights accruing under these contracts on both sides should have been settled by a court of law, not by a committee of this house, and I have no doubt, that if the contractors had approached this house with a petition, praying for leave to implead the province, or to grant them an opportunity of trying their claims in a court of law, that such opportunity would have been freely accorded them.

The Catholic question so called is one that has entered largely into the present debate, and I feel called on to make an observation or two regarding it. The hon. and learned member for Digby (Mr. Wade,) has drawn a frightful picture of the proscription of Catholics in this province, and exhibits

a terror on that subject far exceeding that of any gentleman of that body. Sir, proscription is not and never has been the watchword of the party with whom I act. Ascendancy to none, proscription for none, is the principle which in common with those who oppose the present government, I have always entertained, and will ever act upon, and I never can or will consent that any one party of religionists, be they what they may, shall ever dominate in this country. But, sir, I ask if this bugbear cry of proscription is really believed in by the members of the Catholic body themselves. I feel confident it is not. Take, for instance, the hon. member for the township of Halifax, and I look upon him as being a much more reliable exponent of the feelings of the Catholic body than the hon. and learned member for Digby, and what does that hon. gentleman say. Why sir, the other day he advanced in front of the table and announced in his usual mild and lamb-like manner that but for the letters of the hon. member for Windsor, there never would have been any difference between the Catholics and their former associates. He is not afraid of proscription or oppression, not he; he knows just as well as gentlemen on this side of the house that such a thing as proscribing any body of religionists never entered into the thoughts of any person, and that if such a thing had been conceived it would be quite impracticable.

That honorable gentleman bases the whole action of the Catholics on letters of the honorable and learned member for Windsor; but he must allow me to say, that I differ entirely from him on that point—there is some other impelling power in operation. My own observation, sir, before I was ten days in this house during the first session, and before the hon. member for Windsor had written a word, convinced me that there was a craving after place and power and emolument, on the part of gentlemen of that persuasion, altogether inconsistent with the rights of others, that would eventually lead to the breaking up of the late government if these claims were not satisfied. This opinion was founded, among other things, upon the openly expressed opinions of members of this house connected with that body.

The reason given by the hon. member from Halifax is too shallow to deceive any person. Sir, let any man take the whole of the writings of the hon. member for Windsor, and extract from them the whole of the alleged abuse of Catholics said to be contained in them, and I will engage to shew him ten times the amount of abuse from the publications of the mouth-piece of those who are now their dear friends and allies.

I observe, Sir, that it has become quite fashionable to read from newspapers and also to indulge in the reading or reciting of poetical effusions in the course of this debate, and in accordance with that practice and also in proof of the assertion which I have just made, I shall read a few verses from an old newspaper. The lines may not be quite equal in pathos and sublimity to the Sally Brown of the hon. and learned member for Digby, but I know that when I mention the journal from which I read, it will be taken as perfectly orthodox by members of government, and I shall run the risk of the extract being acceptable to my honorable friends behind me. It is from the

Halifax Times of May 18, 1847, and with the editorial comment is as follows :—

The following lines were suggested by reading a statement in the Times of April 27th that a Grand Mass had been performed in the Catholic Chapel, Moorefields, to pray the soul of Pope Gregory out of Purgatory.

PRAY FOR THE POPE.

Pray for the soul of the poor old Pope !  
For a jolly old Pope was he;  
Pray, pray and say Masses for his soul,  
Fast bound in Purgatory.

Pray for the soul of the poor old Pope !  
Who sat in St. Peter's Chair,  
Who bound and unbound in earth and heaven,  
All those who had gold to spare.

Pray for the soul of the foolish old Pope !  
For a foolish old Pope was he,—  
He created and eat his wheaten gods,  
And now, not a god has he.

Pray for the soul of the poor old Pope !  
Self-styled The Infallible,—  
Who is up to his chin in the River Styx,  
And feeleth the pangs of Hell.

Pray for the soul of the poor old Pope !  
Oh, pray for his sinful soul !—  
Some rusty old saint may hear your prayers,  
And bring him out of that hole.

Pray for the soul of the poor old Pope !—  
Priests, nuns, monks, and all—  
To St. Patrick and St. Catherine,  
St. Peter and St. Paul !

Pray for old Gregory the Pope !  
But I fear it is all in vain—  
For the door is locked, the key is lost,  
And there he must remain.

X Y Z.

Protestantville. May, 1847.

Now, Sir, grievous complaints have been made that the late Archbishop had been spoken of by the press of the Opposition in disrespectful terms, but I ask hon. gentlemen of the Catholic persuasion to point out in the writings of the hon. member for Windsor or the publications of the opposition press, any attack on their religion so gross as this which I have read upon their Pope. This and other attacks were made upon them while they were acting with the liberal party in maturing the system of government now in existence. There were then no good reasons for such attacks, for the Catholics had not then made such demands as they now make : there was then no claims for separate schools; the integrity of juries was not then tampered with for the purpose of shielding criminals, and they had not exercised the right which they have lately done of breaking a man's head if he laughed at his religion. At that time a Catholic might laugh at a Protestant's faith, and a Protestant at a Catholic's and still his life would be safe, then no person demanded or received office solely because he was a Catholic unless he was otherwise qualified, now they do ; the attacks upon the Catholic faith were then more unprovoked than now, and more gross, I argue, therefore, Sir, that the reason given by the hon. member for Halifax is not the true one, but that they have changed sides because they have found the government more disposed than the opposition to yield to their demands, and Sir, it is because my own calm observation and experience has forced the conviction upon me that the government is tamely yielding to such influences that I give this as another reason why I have no confidence in them.

Let me now turn the attention of the house to a sentence or two taken from the Minute of Council in the case of the Solicitor General's resignation as follows :—

“ Although the exigency of public business requires that the members of Council residing in Halifax, should, during the recess of Parliament, frequently assume the responsibility of deciding important matters without having the benefit of the advice of their colleagues who live in distant parts of the Province, yet it is perfectly understood that no absent member can be held responsible for any acts of the Government, except by continuing a member of it after such acts become known to him.”

What, Sir, is the meaning of all this? The representatives of a county, at least those in the confidence of the government, are by general consent intrusted with the patronage as regards local appointments, and therefore when a member from the country writes to the Provincial Secretary requesting the appointment of a road commissioner or a justice of the peace, the members of Government in town will be fully justified in making such appointment without calling a meeting of Council, or consulting their colleagues in the country, but I deny that they have the power constitutionally, of passing upon any measure of public concern such as the appointment of a Delegation without at least summoning the members at a distance. If this be done and those gentlemen do not obey the summons, then I grant that a quorum of five in town may constitutionally proceed to action. But, sir, according to this minute of council, such acts may be done without summoning their colleagues, and the only option that members of the Executive in the country have is either to approve of an act done in their absence which may be contrary to their own judgment, or resign their seats. They are, in fact, perfect nonentities in the government, and the government is in practice one of five members. The Queen's instructions give us a council of ten, and I look upon this principle so laid down, as a direct and most dangerous infringement of our constitution.

Now, sir, a few words regarding the case of Mr Forman before I conclude. The Government seem last summer to have suddenly awakened up to a sense of the propriety of finishing the road to Truro without delay, and the gravamen of the charges against Mr Forman is that he either could not or would not carry out their wishes in that respect.

But, sir, I ask any man who reads the correspondence between Mr Forman and the government on that subject, and who will interpret his words according to the usual rules of the English language, if he can find anything in the whole correspondence justifying such a conclusion. Mr Forman on the 26th of June last, writes as follows :

“ It is true that during the last year I have had many difficulties to contend with, into which I forbear from entering. The chief of these has been the insubordination and the position assumed by the contractors, who asserted a practical independence, and seemed to think that they would be upheld in disobeying both the Board and myself. In this I trust they are now undeceived

and if they are kept in their proper place, and the government give me the same generous and cordial support which I have always received both from the former and present Board, I have no reason to doubt that the Railway, which I am unwilling to abandon, will be successfully and vigorously prosecuted to its completion."

The Board in their letter of the 30th June, expressed their regret, "that there has been so much delay in the completion of the contracts, but the government are familiar with the difficulties they have had with the contractors, in compelling them to finish their sections, as well as those which prevented the works being taken out of their hands."

I might quote various other passages from his letters, all tending to the same purpose, namely, the determined opposition of the contractors to all his plans for completing the work, but as they are all most likely perfectly familiar to the members of this House and the country, I shall not delay the House by reading them. But, sir, with such information as this conveyed to the government by their own officer, I ask was it not their duty to aid that officer, and compel these refractory contractors to do their duty. This, sir, would not suit their purpose, but the moment they got hold of the man they wanted, then the contractors were pushed up, and the work finished in some sort of way.

But we are also told that Mr Forman was, in other respects, incompetent, and made great mistakes in measurement, causing trouble, delay, and expense. Admitting that he did for the sake of argument, and I may say that it is clear that mistakes in measurement were made somewhere or by somebody, let me ask if that is a sufficient ground for his dismissal. I believe, sir, that mistakes in surveys of this kind are not only very common, but almost inevitable. The history of almost every railroad in Europe and America proves that miscalculations will occur, and that when the work comes to be actually done, differences will appear to exist between the previous measurements and the amount of work actually done. I believe, sir, that the first ten miles of the St. Andrew's railroad after being located had to be altered, and unless I am strangely misinformed, the present chief railway engineer of this Province, who has been so much praised and lauded, was the person who originally located that line. But, sir, if mistakes and blunders are to be visited with such severe condemnation, why is Mr Forman the only victim? It was clearly proved last winter before the railroad committee, that one of the greatest blunders in the whole survey (I mean that at Grand Lake near Schultz's) was committed by Mr Mosse. Why, then, has not the same principle been applied to him that has been applied to Mr Forman? Why is it that Mr Forman has been dismissed and that Mr Mosse has not only not been dismissed but actually elevated to the position of a standing engineer, an office far superior to that occupied by him at the time he made this serious mistake. In my opinion, sir, Mr Forman deserved very different treatment from this Province. Any person who visited the committee room last winter while the claims of these grasping contractors were being tried, could not help being struck with the singular spectacle that while the Attorney and Solicitor

Generals were occasionally there under the pretence of defending the interests of the Province, Mr. Forman was the only man who stood up for the interests of Nova Scotia, and endeavored with a degree of skill and energy that did him much credit, to prevent our money from being wasted. In this he was in some measure aided by the hon member for Windsor, but his presence there was more for the purpose of watching the investigation so as to be able to defend his own acts as chairman of the Board than for any other.

There are many other subjects of remark, Mr Speaker, which I feel tempted to touch upon, but as there have been so many complaints of the time being wasted I shall forbear, feeling confident that the grounds I have laid are quite enough to justify me in the minds of my constituents for supporting the amendment of the hon member for Inverness.

Mr. McLELLAN said:—On my entrance to this house I find many strange things are said which appear to me somewhat strange. For example—the hon. member for Digby asserts that the Government is carrying out responsible government in corresponding with him. If I have the honor of a seat in this house for any length of time, I shall most probably be chargeable with uttering some nonsense, but I do hope never to be responsible for such nonsense as that.

Again, sir, it sounds strangely to me to hear the hon. member for Falmouth confess that the feeling amongst his constituents is so strong against him that he cannot go into the back settlements without having what he terms "a terrible tussel with the old women." I hope the hon. gentleman will take due warning, and, preparing for the event of the coming election, become mentally resigned and physically prepared for being left at home to "tussel" it out with the old ladies. But, sir, I have heard nothing so contrary to my preconceived opinions as the hon. Attorney General styling himself and the learned member for Inverness a pair of flowers. A rare pair of beauties they are, according to his description. While listening to the hon. gentleman I could not but feel that it was merely in compliment to the hon. and learned leader of the opposition that he so dwelt upon their beauty, inasmuch as that flower which he hints if most resembles is not by any means remarkable for its beauty. It is said of the sunflower that it always faces the sun, that during the day it is drawn by the sun's influence round from one point of the compass to another directly opposite. And considering the influence which office and salary have had in drawing the hon. Attorney General round from one point of the political compass to the directly opposite, I could not but place him beside the sunflower, with this only difference—the natural flower in the morning hangs to the east, but drawn round by the sun's influence, in the evening bows to the west; while this political sunflower in the morning of its existence hung to the west, now in the evening—when night is coming upon it, bows submissively to the east.

The hon. gentleman tells us that although there may be in the political atmosphere one element to invigorate the opposition, there may be another element for the government. I agree with him. The same cloud which contains moisture to nourish and invigorate the flower which enriches and beautifies the valley, may and does

contain the electric element which, when the thunder bolt falls, shivers in pieces the old rotten trunk which has stood too long leafless, fruitless, a disgrace to the hillside. Believing that in the political atmosphere an element is gathering for the overthrow of the present administration, let me state some of the grounds on which I rest the belief that it should not and does not enjoy the confidence of the country.

And, sir, I ask the question, when should a people have confidence in a government?

When fifty three men, representing every interest, and all shades of opinion, assemble here, and, in the free exercise of their opinion, place such men in the government as they think best qualified to carry out the policy which the majority declare best for the welfare of the country, we have a government commanding the confidence of the people. If, however, there be eight of this body who have an interest in which the others cannot participate—an interest which they hold as paramount to every other interest—an interest for which all else must be sacrificed—and if they bring that interest here, and combine to place in power the men who will best serve them—they destroy the value of this assembly as a representative institution—they render it worthless. Governed then, as we are, in Nova Scotia, by the creatures of an interest—by men owing position to the destruction of free deliberative action, does it accord with reason to suppose that measures will be carried for the general welfare, if there is a possibility that they will conflict with that interest?

But apart from measures of a general nature, can we have confidence that the patronage—the plunder, as it is termed by the government—will be fairly distributed. Sir, it is a libel on the common sense of the people of this country to suppose for a moment that they do not see that the sect on which the government depends for its daily existence, has the power, whenever they choose to exercise it, to obtain more than justice. I remember the political campaign of 1847—and while the memory of that lived in the minds of men—while it remained on record to be brought forward, as was this day, by the learned member for Pictou, I did not expect to see the hon. Attorney General and his associates deliberately place themselves in the arms of the Catholics, that they might be lifted up within reach of the government pap. I have seen it, however, and the humiliating spectacle presents itself to my mind somewhat in this form: A dozen boys get into an orchard, where there is ripe tempting fruit hanging overhead, just beyond their reach. Resolved to have it, they enquire of Tom, who has always been their ringleader, how it is to be managed. He tells them the best way is to place a platform beneath the tree—and for this purpose sets them to work,—encouraging Bob to get a prop for one corner, by the promise of a big plum just overhead,—tells Jim that he shall have that nice bunch for which his mouth has been watering,—In fact, stimulates them all by the promise of the whole fruit, except one good branch for himself. All their labors, however, prove unavailing. The rickety affair they put up won't stand. They can't get the fruit.

Now, suppose the scene to change:—In comes Jerry, a sturdy junk of a boy, who steps up to Tom and asks "what all the fuss is about, who is sick, and what's to pay?"

"Nothing," says Tom, "only there is nice fruit, and we can't get it; will you help us?" "Certainly, just what I want. Here, I'll soon show you how the thing is managed. Get on my shoulders." And stooping down, Jerry takes Tom on his shoulders, a leg on each side, and lifts him up within reach of the fruit.

Now, would any spectator suppose for a moment, that Jerry would stand there with Tom on his shoulders, and let him pocket all the plums himself, or give them all away? Certainly not. He might very justly suppose that Jerry would see the necessity of giving each of the boys a plum to quiet them, least they alarmed the owner of the orchard, but after that he would expect Jerry to demand the lions share in consideration of the necessity of his position. Now, sir, we have it, Tom and Jerry here—we have a Tom and Jerry affair for a government in this country, and what confidence can the people have that there will be anything like a fair distribution of the prizes after the first few plums to quiet. Sir, the necessity of Jerry's position will outweigh justice, besides every man who regards the dignity of government—the dignity of his country must feel humiliated at the spectacle presented by the hon. Atty. General and his associates seated on the shoulders of the hon. member for Sydney, and his co-religionists, a leg on either side, a la Tom and Jerry. By the way, sir, it has always been a matter of curiosity with me to know on whose shoulders the hon. ex-Solicitor General sat during the time he ate of the government fruit. If reward followed labour it was probably a joint matter between the hon. Inspector of Mines and the Inspector of Light Houses; for which they get £650 a year. Considering the position in which our government is placed, I think it due to the dignity of this country as well as the personal individual dignity of the reputed Protestant part of that government, that they be speedily removed from their position. And as the shortest mode is sometimes considered the best, I beg to suggest one. I see by the public letters of the hon. member for Halifax (Mr. Tobin) that he has a disposition to travel among the stars, that his orbit lies among the planets. I therefore propose that the Protestant members of government be all placed on his shoulders, when he is in the ascending mood, trusting that he will land them safely in "perihelion."

Having thus spoken of Catholic power in and over the government of this country, let me refer to some of the results of that power. And, sir, I shall take but one example, and that is the admitted fact that the British flag hung at half-mast on government house in honor of a Catholic Archbishop.

The government seem disposed to shrink from the responsibility of this act, and well they may; but what is their position? If not the direct act of the government, it is the result of that spirit which they have so encouraged. Sir, there never was a period in our country's history previous to the advent to power of the present administration that such a thing could have happened.

Not until after the knowledge came to the Catholics that they, in the divided state of Protestants, were masters of Nova Scotia, and had the power to make and unmake the government they choose, was such a thing heard of. Why, sir, imagine for a moment the effect which the discovery that their power was so sensibly felt and

acknowledged must have had. A thrill would run through the whole mass when the prospect so suddenly and remarkably brightened for the realization of that one idea dear to every Catholic—predominance in state and church. And, sir, when the reputed Protestant part of the government lent themselves to this idea, every Catholic throughout Nova Scotia, in whatever station he may have moved, would feel increased importance. To use a homely but significant expression, "felt his oats."

Now, if Father Walsh, feeling his oats, placed his name in blue ink over some of the best men in Hants.—if Father Hannan, feeling his oats, stepped over the head of every Protestant minister at Government House,—if Condon, feeling his oats, forced his way to the top of the lighthouse staff, is it any wonder that others, feeling their oats, caused the British flag to be put at half-staff? No, but the wonder is, that we have men, calling themselves Protestants to supply the oats. The wonder is, to see such men as the hon. Attorney General and his colleagues, fostering that spirit which manifests itself in such outrages upon the feelings of every Protestant in Nova Scotia. Therefore do I hold the Government as responsible for that act, as if the hon. Attorney General had with his own hand lowered the flag.

I come now to speak of the railway management, and certainly there is no question, apart from the principles on which rests our civil and religious freedom—apart from the education of our people—so absorbing as railway management. That matter has been spoken of and perhaps sufficiently dwelt upon; one hon. gentleman, in speaking of it, told us that when the managers get out into the country with a locomotive, one of the people showed them that the wheel was gone—that they had not a wheel to run on. I could not help thinking at the time, that the management in this and other matters has been such, that when hon. gentlemen opposite go to the country to have their government approved by the people, they will be shewn that it has not a leg to stand on. Sir, the hon. Provincial Secretary tells us that "money is no object if you only get increased services." Now the hon. gentleman saw that the railway was badly managed—he could not avoid this, and what does he do? Does he change the management? No; he adds to the superintendents salary, raises it to five hundred pounds a year, in order I presume to call out more of his energies. He does call out more energy, but running as it did in the wrong direction, an increase was from bad to worse. I ask the hon. gentleman to regard the lives of his countrymen, if he does not their pockets, and not add to that salary of £400, for every increase of service is in the wrong direction. But, Mr. Speaker, what would this country think if we could peep through the scenes and see that this increase in the wrong direction is intentional; and reasoning from what is before us, there is cause to fear it is so. Let us look at the facts as they exist. The hon. member for Windsor, Mr. Howe, is an old politician. The members of government are old politicians. This railway is Howe's. The men in the government fought against it from the first. The hon. Financial Secretary, who may be considered as representing the government, stated here that "hated is the most desirable feeling a politician can

cherish." Now consider that men invariably cultivate what they deem most desirable, and that these men have had a long time for such cultivation, and how does the matter stand? We have the offspring of one political rival in the hands of the other, and with so much time for the increase of that hatred, which, we are told, is so prized by the politician, we can scarcely expect that the railway will be differently managed.

There is some modern writer whose name and the particular work I now forget, who describes two men as hating each other with an intensity that would be perfectly delightful to the hon. Financial Secretary. One of those men had a son on whom all his affections were lavished. By some means this child fell into the hands of the other, who said if I destroy this child, I will be only half avenged. No, I will place this child beyond the reach of his parent. I will learn him nothing useful, I will train him in every possible vice, and then return him to his parent without friends, without character or profession, and with habits so debased, that he will be a continued living sorrow to his father. Now, sir, taking the facts that are presented to us, and starting upon the delineation of the politician's passions as given by a member of the government, I fear we do not go too far in saying that the present Railway mismanagement is intentional on the part of the government; in order to render that work a continued living sorrow and disgrace to the man whose offspring it may be called. Presuming, however, that the government do not intend to acknowledge this to be the case, let us look at the matter in the most favourable light possible. This railroad is in the hands of those who opposed it all through its history. Men who do not in any way feel responsible for its success. Men whose reputation as statesmen will not be injured, but rather increased by its failure, and therefore, although they may perform the mere routine of office, yet failing in that earnest attention which only those who have a deep interest in the work can bestow, the road may become ruinous.

I put a case to hon. members around me, I ask sir, would any man leaving his home, place his child in the hands of a hired servant, and expect it to receive the same care, the same unwearied attention, as if it was under its mother's charge? Surely not. Ingenuity when quickened by love will ever find a thousand things for a mother's hand to do for the comfort of her child which the servant would leave undone.

The cases are similar, and if we had but this one reason we should labor for a change of government; that the railroad might be placed in the hands of those who may justly be considered its natural guardians. But independent of Catholic influence and the railroad, I consider the present government unworthy of confidence, on the ground of inconsistency. Sir, there is nothing which the upright, honorable man so prizes as consistency in public life. When we see a man fixed in his principles, abiding by them like a rock, we honor and esteem him, because amid the changes of circumstances opportunities may occur, or necessities arise, for those principles to be developed and in practice. And when such opportunity or emergency comes, we delight to know that we have the right man for the time; but when those on whom we have thus relied fail, we feel like the mariner who, when on his

voyage, suddenly discovers himself without compass, chart or anchor.

Sir, if ever there was a body of men who had cause to rely upon another, to say, when the opportunity comes, we know where to place our hands upon the right man, the temperance men of this country formed that body, and the hon. and learned Attorney General is that man. The hon. Provincial Secretary most truly described the hon. Attorney General's assumed connection with the temperance body as shoulder to shoulder, but when the emergency arose—when the opportunity presented itself, and we relied again upon that shoulder, the hon. gentleman turned his back. He deemed it "expedient that the Prohibitory Bill should be sent out for an airing." Ah, sir, when I saw upon the public records of this country that the hon. Attorney General—the temperance veteran, the old man eloquent in the cause—aided when he came to power in giving a bounty of £300 upon intemperance in the form of a return of duties on officers' wines, I felt that consistency and principle had also been sent out arm in arm for an airing. Such conduct, wherever seen, and no matter by whom exhibited, destroys all confidence. Again, sir, look at the strange want of harmony in the principles enunciated by the hon. gentlemen opposite when in opposition, and their practice now, respecting dismissals from office and the interference of members of government in elections. The learned member for Inverness, in speaking of this inconsistency, manifested some surprise at the want of common prudence by the hon. Atty. General when in opposition. Is there not a reason for that want of prudence, if want of prudence it can be called? In 1847 an election was pending—the Catholics were on the liberal side of the house—the hon. Attorney General be-thought himself of getting up the cry of Catholic ascendancy. He succeeded. Every village and hamlet rung with that cry. Every epithet which the English language could supply, to inspire contempt and hatred of Catholics, was used. That election was decided, and the hon. gentleman found himself in a minority. Now, sir, how would he view his position? He would reason thus: "I am in a minority. There is nothing now in the nature of affairs in this country to favour the growth of conservatism; and as I have so abused the Catholics, I have dug so wide and deep a ditch between them and me, that they will never think of crossing to me nor I to them, my chances of office are therefore gone, and henceforth I dedicate the remainder of my life to the obstruction of the liberals." Consequently, whatever policy the liberal government announced, the hon. Attorney General advocated the opposite. Sir, the hon. gentleman did not know the Catholics half so well as he professed. Worse, he did not know himself. He did not then know that in 1857, when these Catholics would be brought up to that ditch for the purpose of being driven across, that he would bend over the other side of that ditch, and when the ecclesiastical command was given, "jump for your lives," would with outstretched arms cry, "jump for my life." This has, however, been the case, and the hon. gentleman, unexpectedly in power, does not choose to make his principles and practice harmonize.

But, sir, if after all this, there was still a remnant of confidence in the men who rule our coun-

try, that last remnant was destroyed by their conduct on the resignation of the hon. ex-Solicitor General. Now, I pass over the fact shown in that matter, and also in the closing of the public offices, that some one or two men when not over-ruled by their ecclesiastics, consider themselves sufficient to manage the affairs of our country—to speak of the minute of Council. It is evident from this document that there is a determination on the part of the leader of the government, to prevent any more of his colleagues from resigning to make such an example of the ex-Solicitor General that no other member will dare to follow unless at the risk of his reputation. The last death blow was here given to liberty of conscience in the government. Now, if we could stretch our imaginations so far as to suppose the hon. Financial Secretary to resign and in his letter of resignation state that he had laboured to put the finances of the country in a satisfactory state to make the receipts equal the expenditures, but finding himself surrounded by those who made such extravagant demands, he had failed in his efforts, and therefore, as an honorable man, he felt conscientiously bound to resign. What would be the result? The Atty. General would immediately be seen gliding after the hon. gentleman to pin £3 4s 9d to his back.

Again, suppose the Receiver General to resign, and state that he had always been opposed to railroads as a government measure, believing that they would bring ruin upon the country, and that on a change of administration he merely joined the government for the purpose of devoting his great financiering talents to keep the ruin off as long as possible, but finding the effort of one unavailing against so much effort from his colleagues in the opposite direction, he felt it his duty to resign. Now whatever thought the hon. gentleman previously had of making such a resignation, he will not make it now,—knowing as he does that the Attorney General will, if he has nothing worse than a rumor, take up that rumor and chalk on his back B. P., bonds at par.

The hon. Provincial Secretary tells us that the result of the eight elections, held since the formation of the present government, does not favor the conclusion that they are growing weaker.—Six of these elections were held immediately after the disruption of the old government, when the question at issue was not fairly understood. Had the Hants election been then held we would not have had a chance; at that time I would have feared the result even in Colchester. But, sir, when time was given for the question to be understood, these counties sent men in opposition to that government by united majorities of 550.

Few men in this country change their opinions without careful examination. In France a revolution may be born in an hour. A public opinion which came into existence in the morning, and which strengthened until noon, may at evening have passed away. There it is action first, reason afterwards. But with the Anglo-Saxon character it is reason before action. In this country reason is becoming satisfied, let the hon. gentlemen opposite beware of the action.

Again, sir, we are told that the changes which are being made in public opinion, is owing to the Protestant Alliance,—that this is a political institution organized for the purpose of overthrowing the present government. Having examined the constitution of the alliance, I do not find any



mention made of the government or any of its members, and those who say it is opposed to the present government must feel that the principles which it seeks to maintain, are not recognized by that government. Sir, when men hear the preacher of the Gospel denouncing sin, they do not usually apply what is said to themselves, unless there is something so plain—something which so exactly suits them that they cannot pass it by, and conscience compels them to say "that's me." Now, I never had a doubt but that some portions of the lectures before the Alliance were so applicably suited to the government, that they could not in conscience help saying "that's us."

But, sir, I never expected to hear such a confession made on behalf of that government as was uttered on the floors of this house by the hon. member for Sydney, (Mr. McKeagey.) He denounced that Alliance as political, and designing the overthrow of the present government, and in proof of it read the conclusion of Professor King's lecture. Sir, the man who knows all the influences operating upon that government, all their secret acts and intentions, could not help saying when he read that concluding paragraph "that's us." And he comes down to this house on behalf of the government I presume, and makes this confession. I shall read the passage again. "Our conclusion therefore, is, that if we Protestants, and our Roman Catholic fellow subjects, are to continue in the enjoyment of civil and religious liberty it is to be secured, not by placing ourselves under the influence of the Priests, but by doing what we can to secure through the blessing of God, that the administration of our public affairs shall be in the hands of men who fear God and hate covetousness, men in whom we have confidence, that they will not show contempt of God's word, by neglecting to secure a due place for it in schools supported by provincial funds for the education of the young; and who will not by supporting with the public funds those who teach popish error, involve us in the gulf of aiding and abetting those who are agents in a conspiracy against civil and religious liberty." "That's against us" is it? Well, what a confession! What a government! A government "under the influence of Priests!" A government "that does not fear God!" A government "that does not hate covetousness!" A government showing "contempt of God's word!" A Government "aiding and abetting in a conspiracy against civil and religious liberty!" What a government! What a confession! O, sir, I thank the honorable gentleman for having made such a confession. It remains for this house and this country to say if they shall have absolution!

The house adjourned.

THURSDAY, February 10.

Adjourned debate resumed.

Hon. ATTORNEY GENERAL alluded to delay, and to desirableness of taking the question without much more loss of time.

Hon. FINANCIAL SECRETARY.—I would remind the house that on a question of expending £600 we have had a debate of six days extension, which costs £600. I hope that £600 more will not be expended on it. I wish to have the debate closed that we may go to the business of the country.

Hon. Mr. Young.—I am not aware of any de-

sign at this side of the house to cause delay unnecessarily. I thought that the Attorney General wished to speak. I observed several notes taken by gentlemen opposite yesterday.

Hon. ATTORNEY GENERAL.—I took no notes, and only require about 20 minutes to explain; this protraction of discussion encroaches on the usual forbearance of the house. We have had the same matters over and over again. I have appealed more than once to the good sense of gentlemen. The business of the session is delayed.

Hon. Mr. Young.—In a debate of this character repetitions are to be expected. The delegation forms only a small part of the discussion. Why not forward the ordinary business,—but I am not aware that we have any business to transact.

ATTORNEY GENERAL.—We will soon find work to do.

FINANCIAL SECRETARY.—It would be hardly courteous to bring in the public accounts while discussing the Governor's speech.

Hon. Mr. Young.—I agree to that.

PROVINCIAL SECRETARY.—I took a few notes of some absurd remarks, and might occupy half an hour in review, but feel it uncalled for to thus occupy time until there is something to answer. I occupied about two hours recently, and that is about as much time as ought to be accorded to any one in the debate. Not a statement of those remarks have been yet impugned, not an argument met. Arguments at the other side have not only been refuted, but the refutation admitted. Better take the question.

(The house was called.)

Hon. Mr. Howe.—I do not wish to trespass on attention to the exclusion of others at either side. Three very argumentative, gentleman-like speeches were made at this side yesterday; I think the rejoinder should come from the opposite benches. If that is declined, some one at this side should occupy the floor. Gentlemen can hardly imagine that the speech of the member for Digby yesterday is to be considered an offset to the three speeches made by the gentlemen of the opposition. It may be the policy of the government side not to speak; let us understand what is intended. If that be so, I am ready to waive my right to address the house. Let us come to the debate or abandon it.

Hon. ATTORNEY GENERAL.—The gentlemen opposite introduced the debate—let them manage it. As the Prov. Sec'y has remarked, his speech remains unanswered. We consider that we have no argument to answer; some misstatements require explanation. The only subject which the house is in proper condition to discuss was worn threadbare last session. Other topics will come up for discussion at a future day, when the public documents are before the house; we only anticipate that unwisely, by debating now. If gentlemen who are responsible for the debate think that it will add to their reputation as men of business, they and I differ materially.

Mr. CHAMBERS.—When I last addressed the house, Mr. Speaker, I did not intend to occupy more of the time of the debate; but some remarks have since been made which require an answer. Argument I deny that we have had from the other side, and the government has not effectually answered any charge brought against them during the debate. Their design and policy

is to shrink from discussion, to allow observations to pass over quietly, and prevent, if possible, that their conduct be arraigned and the results sent over the country. But would we do our duty as representatives if we did not bring them to account for their conduct during the recess, and place matters in a true position before the close of the session? I proceed, therefore, to review some remarks made since I addressed the house recently. The leader of the government opposes debate because the papers are not on the table, and thinks this is an answer to all the charges brought against him. I refer him to 1857, when at the very commencement of a session he starts up and lays on the table a proposition of want of confidence in the government. Were there any such papers on the table then? No; but he could occupy 14 or 15 days to break up the government, while if we take 5 or 6 it is called a waste of time—so that we may be prevented from bringing them to the bar of justice, to give an account of their political conduct. Gentlemen opposite have been in office for two years. Last session one measure was announced, but they were obliged to withdraw it. A member at that side was adverse to the bill, and they had to make a disgraceful retreat. This session not a single measure is announced, they dare not try one. What are we called on to do by the speech? To thank Providence for being kind to us, which we agree to—and to declare that the railway to Truro is finished, which is not the fact. One design of the government appears to be by any means to produce a quarrel between the leader of the opposition and his supporters. They attempted that before, in reference to the member for Windsor; but would the member for Liverness be so regardless of his reputation as to take such hints from the other side? I look on the complimentary resolution recently moved at Temperance Hall as resulting from the same feeling—to cause division among the opposition. The member for Digby, in his usual style, called the debate a waste of time.

Mr. WADE—I say so still, a ridiculous waste of time.

Mr. CHAMBERS—The charge comes with an ill-grace from him. He wasted more time, I consider than all the members of the opposition during the last four years—a waste in idleness. See the position which the hon. member occupied some time ago, and that which he occupies today. I hope never to see one of the opposition so situated, even if we were to sit at this side of the house for the next 20 years. He says that the debate is for electioneering purposes. I understand that he has some anxiety on that subject. He was sent here to represent the township of Digby—dare he go back again.

Mr. WADE—Yes!

Mr. CHAMBERS—We know he shrinks from it. He is afraid to face the honest yeomanry of Digby, and therefore he does not want this debate to be scattered over the country.

Hon. ATTORNEY GENERAL,—I rise to order. I think the hon. gentleman's remarks are out of order, they are of no value.

Hon. Mr. YOUNG,—I consider that the Attorney General goes beyond his province, in saying that remarks of the hon. member are of no value and out of order.

Hon. ATTORNEY GENERAL.—When he applies such language to another member, he exceeds the

license of Parliamentary rule. I care not about it myself, but every man of taste will feel that it is out of order.

Mr. WIER,—If the angel Gabriel himself were speaking at this side, he would not please gentlemen opposite. (Laughter.)

Mr. CHAMBER.—The leader of the government is rather sensitive, he sees all the difficulties on one side; if he had risen yesterday when the members for Digby and Falmouth, and others, were addressing the house, I might justify his course to-day. The member for Digby pretends to be pleased with my remarks, but he exhibits signs to the contrary. I advise him, that silence is his best policy. He says he is afraid to touch the Catholic question. (Mr. Wade,—No.) It is well understood why; he is afraid of the yeomanry of Digby, and wants to shrink from the question. But in thus, bringing them to the test, when they return to their constituencies, and are asked, did you vote for this and for that, they cannot give the denial which they otherwise might; affairs will be in that position that the country may judge who were right, and who wrong. I next come to the remarks of the member for Falmouth, and I would refrain from replying to him, only for one or two observations, having reference to the county he comes from, the men of Hants would not think I did them justice if I refrained from noticing these remarks. He intimated that the yeomanry there were guilty of "fraud and forgery." I wish to bring him to the book on that, and I challenge him to show an instance in proof of the charge. If he cannot, let him, as a man of honor, withdraw that charge. How were they so guilty? Whom did they defraud? Did they use any means at the election that ought not to be used, to accomplish the return of gentlemen who now represent the county? I think not; but some instances of fraud, as he calls it, might be stated which he would not like to acknowledge. The government which he supports, and which backs him up in the charge, what did they do? Did they use fraud? Did they abuse their influence to accomplish an object? Let us read an extract from a letter by Mr. Forman, which has not been contradicted. (Mr. C. read an extract concerning pressure used to cause the employment of Mr. McDonald, at Windsor, previous to the election.) What was the pressure brought to bear on the Railway Board to cause that persons employment there—that he might be ready to use his influence at the county election? Was that fraud? Another instance was given by a letter from the Chairman to another person, telling him the consequence if he used his influence at the election. These were instances of the kind of influence brought to bear against us at that contest. I want the hon. member either to support the charge, or when he returns to the county to say why he brought such here.

During some remarks of mine, made recently, I made allusion to the Editor of the *Christian Messenger* newspaper, in consequence of which I obtained a complimentary note asking for explanation; requiring reasons for charging him with being under the influence of the leader of the government. I give him my answer. I ask him to contrast the editorials of that paper in 1850, with those of 1859. Compare the articles with those of the recognized organ of the denomination in New Brunswick, the *Christian Visitor*, and

say whether he can satisfy his mind. But he represents the Baptist denomination on those points. If the editor of the *Messenger* will publish a few documents furnished by me, I agree to withdraw my charge. I ask him to publish the synodical letter signed in this city by four Catholic Bishops; to publish Bishop O'Connell's letter and articles which appeared in the *Morning Chronicle* during the month of June. If he agree, I withdraw the charge. Is it not evident that the paper is under the control of the leader of the government, that not an article appears in it contrary to that gentleman's views?

I think, sir, that the people of the province owe a debt of gratitude, which they will not be able to repay, to those 22 gentlemen of the opposition, who, when the people's rights and liberties and all they held dear and sacred were menaced, had the manliness to come forward and resist those attacks,—and in doing so have resisted the power of a foreign ecclesiastic, and have secured the rights of Nova Scotia for the next 20 years. That power, like the snake in the grass, was gaining influence inch by inch, but now it has to be gained at its own peril—it is now discussed in every hamlet of the country, and when its ingredients are known it will be at once rejected. We have erected a political platform, and on that we will stand or fall. I would rather remain in opposition for the next 20 years, if honored so long with a place in this house, than to shrink from the responsibility we have assumed. I say to gentlemen at this side that they must go forward, man to man, shoulder to shoulder, and let the people judge who are right and who wrong. If we succeed, I hope to see a government that can struggle with that power in the east and shake its foundations. I believe such a government will be so firm, that no class can materially damage its position. If we succeed in forming a government such as the country ought to have, and the pride of every honest man in Nova Scotia, I hope to see it based on true Protestant principles, which shall be out of the power of any foreign ecclesiastic to shake or disturb. (Disapprobation was expressed by parties in the eastern gallery. The officers of the house promptly called to order.)

Hon Mr Howe.—I had not the good fortune, Mr Speaker, to be present when the Provincial Secretary delivered a speech, which I read for a first time this morning. Considering the deliberation and apparent care with which that speech has been prepared and reported, I would have much preferred to have had an hour or two to run my eye over the papers, in reference to several points touched by him. As the government evince no disposition to debate this amendment fairly with those who have assailed them, it becomes apparent that time must be wasted, or that those at this side, who have anything to say, must occupy the floor; I feel, therefore, that in performance of my duty to the opposition and the government I should not withhold longer than is requisite, any observations which I have to make. Yesterday we had an argumentative speech from the member for Halifax, who, elsewhere, is said to have no opinions of his own, no ability, no position in the country; yet not a man at the government side, sneer as they may, have answered, or can answer my hon friend. In that able speech not a point was touched, not a reference made, in

which there was not force and aptness. Take again the speech of the member for Pictou; he but rarely addresses the house,—but how will his speech compare with the curious display that we heard from the member for Digby? Let any one judge of the relative ability of the two sides of the house by these two speeches, and what would be the estimate? He would come to the conclusion that although it might suit the government to sneer at such attacks, yet that the intellectual power was on the side of Pictou. Take also the "maiden speech" of my young friend from Londonderry. I listened with a degree of pleasure that few matters of a personal kind could give me, to the able, beautiful, and argumentative speech made by that young gentleman, who has come to take his father's place in this house—Rarely is it, here or elsewhere, that sons do worthily fill their father's place, but it is delightful to observe it so in this instance. I feel that the government lacks grace and dignity when such speeches are allowed to go unanswered.—Though long absent and unfamiliar with the current political literature. I do not suppose that it will be a difficult task to good-humouredly touch some points raised in debate. Let me take, for illustration, some of the speeches which preceded that of the Provincial Secretary. The member for Sydney tells us that if the leader of the opposition would absolve him from his obligation of secrecy, he could "a tale unfold;" he pretends that he has something marvellous to say only that his lips are sealed. Does he not know that to every member of sagacity such talk is moonshine? If the people believed that the member for Inverness had any such power they would display more ignorance than I ascribe to them. What is the case? These two gentlemen were members of the same government, and they did an act which shivered the administration; they did it jointly, as part of the united cabinet of Sir Gaspard LeMarchant. They dismissed Mr. Condon, and the member for Sydney wrote the letter of dismissal.

Mr HENRY.—State what is within your own knowledge.

Hon Mr Howe.—Did the hon. gentleman sign the letter of dismissal, or did he not?

Mr HENRY.—I did.

Hon Mr Howe.—Then he signed the letter that dismissed Mr Condon; he did the act; he did more than any other member of Council which shivered that government. What next? Finding that the cabinet was shivered, was going to the winds, he struck out the most novel political line that I ever heard of; he turned round on the falling administration, pretended that he disapproved of their act, and joined the opposition at the critical moment when his friends were overturned. Since then he has occupied a position that none on either side of politics can understand. I deal with this question frankly and fairly, imitating, I hope, the style of debate which, with some exceptions, causes the present to differ favorably from the debate of last year. I put the question to you, Mr. Speaker, assuming the facts as I state them, when should he have made the explanation now proposed? He should have obtained the ordinary liberty and made the statement at the time. If he did not, who is to blame? If he had done so, however, I am not sure that we would

be much the wiser. By what rule does he now, two years after the event, and when Sir Gaspard LeMarchant has left the Province, come up and ask the leader of the opposition to give him permission to make disclosures which that gentleman has no power to permit or to control; his colleague has no power to absolve him from his official oath? Yet that application is to be sent abroad to effect damage to the opposition, and to aid the government. If a member of the House of Commons put such a question, would he not be laughed down by the entire body? Fancy Lord John Russell rising, two years after he had left office, and ought to have made explanation, to say, true, I put my name to a document of which I am ashamed, I dismissed a man who ought not have been dismissed, I have changed my party and fight under banners that floated over the host by which it was overthrown, but I wish Lord Palmerston to absolve me from my obligations of secrecy, that I may make certain disclosures.

MR. HENRY.—I am sure the hon. gentleman does not wish to misrepresent. He, himself, said recently, that I ought to have the permission. Immediately after the event alluded to, I asked the leave from the Lieutenant Governor. I asked the member for Inverness five days after, and have asked every session since. It is not fair to have the country believe that what I ask is now for the first time.

HON. MR. YOUNG.—Did he make the application in writing? If so let him read the letter, I have no recollection of it. If he asked the leave from me, it would have been instantly given.

MR. HENRY.—Immediately on my resigning I applied to the Lieutenant Governor. He requested me to speak to Mr. McNab, intimating that he expected to see him that evening. I did see Mr. McNab, and conveyed the message,—but obtained no answer to my request for leave.

HON. MR. YOUNG.—This is new to me, I will see Mr. McNab.

HON. MR. HOWE.—If the application was in writing, as it ought to have been, the document itself might be here. After all, I say to him, if his colleagues so mismanaged their negotiations, that the question is not clear, why should we be troubled with it now, unless it is sought to make the country unfairly believe that something might be disclosed which would have a damaging effect on the opposition? I did jestingly ask for the absolution, the other day, and, if my hon. friend thinks he has the power, I have no objection now that it should be given. I ask for no explanation. I take the member for Sydney's public action, and enquire whether there is any precedent for the course in English parliamentary practice? Let the learned gentleman state the precedent for signing a document, sending it abroad, and then abandoning the council for the act which he thus publicly endorsed. I am sorry that the hon. gentleman has set an example in his personal conduct which will stand in history single and alone. He and I were old friends in former times, but on this side of the house we all consider his conduct as beyond all ordinary rule, and such as we cannot comprehend.

The hon. member sneered at the hon. member for Inverness as the *nominal* leader of the opposition. I say that he is not only *nominal* but *real* leader. I ought not to take his place, and have not the least desire to interfere with the position

which he has won in the estimation of his friends. If the member for Sydney knew my present feelings and purposes, he would know that by no possibility can I desire to interfere with the just position and influence of the member for Inverness. The learned gentleman misstated my language over and over again. I did not say that we had nothing to debate, I did not mean to say that the question was not fairly raised, but that not being present in the Province, and not having materials to judge by, I was not in a position to debate many of the points, and therefore I designed to put them aside; that enough for me, there were broad lines, and intelligible landmarks to guide myself by, and looking to these I was prepared to vote for the amendment. The member for Sydney intimated that while we spoke of a weak government, we appeared like a weak opposition. Perhaps we are not very strong,—we are tolerably united though, as he will find when we come to the vote. As to our weakness, if such speeches as he and the member from Digby made are to be considered as indicative of the intellectual strength of the Government, when compared with the unanswered speeches at this side, we may be weak in numbers but not in mental power. To me it appears that the ability which the hon. gentleman formerly possessed, is becoming chilled and bound by the false position which he occupies. He lacks the capacity and virtue which aforesaid gave me pleasure and pride.

Last year, for a while, when the old banner fluttered over his head, on the question of the Legislative Council bill, he seemed to resume his old position, and exhibit his usual energy. When right, he has his intellectual strength; but when half the time wrong, as now, Gulliver, bound by Lilliputians hand and foot, does not seem more helpless. We look at past perils, and feel somewhat of the consequences of conflict; but if I look forward for a few years, hopefully and kindly for the country, my wish is to see every man attaining his just position, ripening his powers, and bringing them forward for the service of the country. I hope yet to see the hon. gentleman break through those trammels, to see him win back the laurels of other days, which are, to a large extent, dimmed by present political associations.

I scarcely know what to say to the member from Digby, who lectured the gentlemen on this side on want of dignity and information. Well, it is bad enough to be reproved by the Attorney General,—even the Provincial Secretary might be forgiven,—but to be lectured on dignity and information by the member for Digby is more than human nature can bear. Cæsar, similarly surprised, exclaimed—"You too, Brutus," and he could not have been more astonished at cold steel than I was at a lecture on dignity and capacity from such a quarter. (Laughter.) The hon. gentleman spoke of wasting the time of the house, and of preventing papers from coming down. Does he recollect last session, when he sat as a most incompetent judge, as I believe, on railway affairs for weeks, and when he and the member for Sydney brought in an incomplete report, while £70,000 were in dispute. Towards the close of the session, when the subject was expected to come before the house regularly for the first time, what did we see him do? Late at night, when members had gone off to dinner, and

when he assumed that he had a majority to carry his proposition, he rose here, while a sum of £70,000 was at stake—while the character of the country was at stake, from attacks of contractors and their agents, with the report uncavassed, the evidence unsifted—he moved the previous question. the effect of which would be if carried, to stifle all debate.

Mr. WADE—As he has not told the whole truth, I wish to explain. He is doing the same injustice to me that he did to the member for Sydney. I wish to explain. I take for granted that he is the gentleman who wrote the editorial in the *Morning Chronicle* which arrived at Digby as soon as I did, on my return from the session. The article is in just such words as he now uses. Not having stated all the facts, he has suppressed the truth. (Cries of order, and noises made by the feet of one or two members, took place during those observations.)

Hon. Mr. HOWE—I speak in the judgement of those who heard his motion.

Mr. WADE—You did not tell all. I wish you do so. I rise to explain.

Mr. SPEAKER—You will have an opportunity to do so. (Mr. Wade sat down.)

Hon. Mr. HOWE—The hon. gentleman is not going to receive any injustice at my hands. His language is not parliamentary, but I do not take advantage of that. I sit down to hear the explanation; he ought to give it.

Mr. WADE.—I will not do so now. (Laughter and other noise.)

Mr. TOBIN.—He is right not to do so now, when he was not allowed at the time he wished. We, at this side, will not be crushed or brow-beat by any. (A scene of excitement took place. Mr. Tobin walked up from the lower part of the house to the table. Mr. Wier rose from his seat to the left of the Speaker, and walked over, confronting Mr. Tobin. Some warm words passed, apparently. Mr. Esson, hon. Atty. General, hon. Mr. Young, stepped forward and interfered; the gentlemen returned to their places. Expressions of applause and disapprobation were heard from the galleries. Order was restored.)

Hon. Mr. YOUNG.—Allow me to say a word. No member has a right to address the house, even in explanation, while another has the floor.—There is no such parliamentary rule allowing that. None have a right to interrupt a member speaking; except by a call to order, or for the purpose of clearing the gallery. (The language used by the member for Digby has led to this scene. I hope such will not occur again.)

Mr. WADE.—members are only following the course pursued throughout the debate.

Hon. ATTORNEY GENERAL.—The mode has been to allow explanation at the instant. No member makes more explanations than the member for Windsor. The member for Inverness must take the practice as it exists.

Hon. Mr. YOUNG.—I deeply regret to hear the Attorney General question an established rule of the House of Commons. Courtesy may allow explanation, but it is not a right. In future I will do what I can to maintain the order of the house.

Hon. ATTORNEY GENERAL.—I did not deny the rule.—I spoke of the practice of this house.

Hon. Mr. HOWE.—I made an assertion which I believed to be correct. The member for Digby himself violated order. He used language for

which he might have been taken down. I make the statement again: towards the close of last session, in a matter of £70,000, on a question of much magnitude, with papers and a report for a first time before the house, the member for Digby did rise and move the previous question, which, if carried, would exclude debate. If he wishes to deny that, I will sit down and listen to his explanation.

Mr. WADE.—The member for Windsor is not quite right; I stated that I would move the previous question; what I complain of is, that he did not accompany his remarks with what I said at the time; he did not mention that I gave reasons for moving that question. What I did say was, that I was obliged to return home; and therefore I would move the previous question. that the vote might be taken,—that I might record my vote,—but not for party purposes

Hon. Mr. HOWE.—He was going home, as others were. The fact remains, the previous question was moved, and it was only defeated by my whispering around the benches, let us abandon the house, let it be counted out. That put an end to the proposition, no matter what the motive or language. As to repeating what he said, I do not charge my memory with the learned member's speeches. If there was anything to justify the motion, I would try to remember it. The member for Halifax knows me too well, to think if I had the power, which I have not, that I would use it to suppress discussion, or crush any one here.

Mr. TOBIN.—I did not allude to the hon. member, but to gentlemen at the other side, who stamped. I did not think that according to the dignity of the house.

Hon. Mr. HOWE.—If some did stamp occasionally, it would not be much to be wondered at. The practice in the House of Commons is to make various noises when a person speaks, whom they do not wish to hear at the time. I am willing to submit to the practice if adopted here. I speak now with difficulty in consequence of partial indisposition. The member says, I taunted him. No; but I think he forgot himself when he stood up yesterday, like a school-master, to lecture gentlemen here with want of capacity, and with wasting the time of the house. (Mr. Wade.—I did not.) He left that impression at all events.

Turning to the speech of the member for Falmouth, I may remark that I would be sorry to say anything unpleasant to him. I listened to him the other day with curiosity, to hear what he had to state. He complained that a member of the Legislative Council had told that he, the member for Falmouth, had voted for putting the expense of Railway fencing on the committee, through which the road ran. I forgot all about the particulars, but, in referring to the member of the Legislative Council, I was authorised to say, that not only did the hon. gentleman vote as was said, but in being reproached for doing so last winter, he did not attempt to deny it. The vote was given in committee, and therefore, is not on record. I do not say that he gave the casting vote. He referred to the county of Hants election as fraudulent. I take for granted, that he did not mean that; what he would not use such language against his own county for political purposes. I was there at the time, and so far as I saw, the election was fairly won. But, let

me give the Hon. member an illustration of what I did observe, and then we may judge whether the fraud was on the side of those who won. I went into the county after nomination day, and rode round, visiting the largest polling places. We are lectured here by the Provincial Secretary, as enemies of Temperance, and are told that the government are its friends. I now tell him what I saw in Hants. From the time I left Windsor, until I returned, I never saw an open tipping shop on the side of the opposition, but in every part of Hants I saw rum shops for the government side. At the polling place where I stood, liquor was carted to the ground, in quantities sufficient to have made every man at both sides drunk,—with their opponents, I saw nothing but the common beverages of the land in which they live; so that I cannot allow the hon. member to make unjust and unfair impressions as far as the county is concerned.

We were treated to a lecture the other evening from the Financial Secretary. Some observations were made by me, when immediately that officer rose, and in his usual style, delivered a lecture to me on good manners. What did I say? That during my absence from the province, on the day of the funeral of a R. Catholic prelate, the flag of England, usually hoisted on Government House, was lowered "half mast." Was that a fact? or was it not? Can any man deny it? That being admitted then, am I, a Nova Scotian, a British subject, a member of the legislature, not to express here, or anywhere, the utter disgust with which I heard of that desecration of the national flag. What had I to do about who did it, who explained it? I put my hand on the fact, and as the member for Windsor, a representative of the country, I raise my voice against such desecration. Suppose the flag stood on Buckingham palace, and that it were lowered in honor of Cardinal Wiseman, would any statesman there be lectured for repressing his indignation? Is there an Englishman in the land who would not feel himself justified in denouncing the act as I do? I am told that it is indelicate to do so because some explanation which I did not see was given by the Lieut. Governor. I set my face against this system of thrusting the Lieut. Governor in the front rank for party objects. It used to be a trump card, and may be yet, to involve the Queen's representative in personal conflicts with the political opposition. I hope gentlemen here will have discretion enough not to permit that. Government House is a house for public purposes, in custody of the Board of Public Works.

If I find a man on the roof of that building setting fire to it, am I to obtain an explanation from the Lieut.-Governor absolving the Board? No. If I find the flag desecrated, am I to accept the explanation of the Lieut. Governor? No. I hold the government responsible; so that I do not think there was any requirement of the lecture alluded to. Do we speak of these matters to wound the feelings of the Lieut.-Governor? Far from it; it is unwise to bring his name here in connection with such occurrences. But the Lieut.-Governor did not issue an order to have the public offices closed, though some one did. We are told now that it was the Attorney General. Then it is time for every man in the Legislature, and out of it, to raise his voice against such offences, as regards public decorum and

British feeling, as marked the transactions of that day. I do not say that I wish any servant dismissed who lowered the flag unadvisedly,—I do not say that if it were of consequence to accept the Lieut.-Governor's explanation, I would not do so; but I have a higher duty to perform here—to take care that such an act shall not occur again in this province. I want the people to put it beyond the power of an administration to issue such an order,—that the state of feeling shall be such that at no time hereafter shall honors be paid to the clergymen of any church which ought to be paid only to a member of the Royal family. Therefore, I say that the Finl. Secretary rather went out of his way to read me a lecture. He undertook also to take the Catholics under his especial charge. He enquired could he drag down those that assisted him, and then made use of the adjuration about Heaven forgetting him if he forgot them. I could not help smiling, recollecting that when George the Third was sick, and when his recovery was doubtful, Chancellor Thurlow kept floating between the government and the opposition, as did the Financial Secretary sometimes; but when the recovery was known, then came the adjuration about his attachment to the king. (Mr. Howe related the anecdote, told by Mr. Archibald on a preceding day, during Mr. Howe's absence from the house. In reference to a saying of Sheridan, which alluded to very condign punishment of the Chancellor, Mr. Howe went on to say: ) I do not, however, want to see the Financial Secretary sent to the bad place. I feel as the old Presbyterian Minister did, when speaking of *wicked* people, he said, "shake them over the bad place, but Lord, dinna let them fall in." I have similar feelings in reference to the Financial Secretary; notwithstanding his offences, although, I would not mind shaking him over, I would not let him fall in. (Laughter.) He is not very original, however, in his declamation and figures of rhetoric. He intimated that the member for Windsor, at one time, was going to destroy an institution of his Church. The last attempt of that kind was made by the member for Sydney. One of my first public acts was, not to destroy that institution, but to raise other similar institutions up to an equality. If the friends of that establishment were satisfied, all would have been settled, but they sought for more money, they came here, raised an angry discussion,—grants to other Colleges were reduced, and that of Windsor stood unequal. Who attacked it? I do not say that I did not try to do what was just to all sects, but I voted for the bill when it was brought in, and in so doing, differed from some of my friends, and was near coming in collision with them, they thinking the measure too favorable to Windsor College.

The Financial Secretary might find, on examination, that by the combined efforts of the then member for Halifax and the member for Hants, that the bill passed. I do not see that the present member for Windsor has anything to answer for on that subject. The Finl. Secretary, however, it appears, takes all the Catholics under his protection. "Come to this bosom my own stricken deer," and he seems to think, that as long as they are under his charge they are all right. Since his speech was made, I took the trouble to hunt up an old almanac, dated 1839,

which shews that up to that period, though Guysboro' had been politically and municipally, to a large extent, under the influence of the Financial Secretary's family and friends, for, as the hon. gentleman himself admits, about 70 years,—although along the coasts and harbors Catholics as well as Protestants had settled, rearing their establishments and their cabins on the rugged shores of the country,—yet for the 70 years, down to 1839, not a R. Catholic inhabitant was commissioned as a magistrate under that influence. (Financial Secretary denied that subsequently.) When the liberals obtained power to do justice, and did it, when they placed the Catholics of Guysboro' and Halifax, and other counties, on a fair footing, it is a little too much for us,—who will not allow any combination of Catholics to smash our houses, denounce our Sovereign and public men,—it is a little too much to say that they were well treated by him, when it was our attitude that made attention to them imperative. Not wishing to trespass on the time of the house, I pass to the speech of the Provincial Secretary.

Now, I come to the speech of the hon. Provincial Secretary; I might have desired that on questions of such importance as those touched by that hon. gentleman some further time should have been permitted me to examine and analyse the arguments he used. It seems to be the general impression among the friends of that gentleman that he made a speech which not having been answered, was therefore, by inference, unanswerable. It was assumed that since the Provincial Secretary had spoken, the government was saved, and the opposition discomfited. That we, one and all, "horse, foot, and artillery were sent cowering to the wall." (Laughter)

Now, sir, with but little time or inclination to examine that speech, I ran my eye hastily over it. What is it? A repetition of the hackneyed arguments which have been scattered to the winds four or five times during this debate. The learned gentleman, at the outset, said that had we "waited for the public documents," we could not have made this motion, and that the learned member from Inverness has availed himself of almost the only opportunity which the session will allow of making an attack upon the government.

Sir, are the members on this side of the house such very fools and children that they come here session after session and remain so unacquainted, so entirely uninformd, on questions of public policy, that they require documents on all occasions to be submitted before they venture to assail the government? Who that has listened attentively to the present debate can fail to perceive that the charges preferred against the administration are founded on evidence conclusive and incontrovertible, which no documents that may be brought down, or withheld, can materially effect? I may not be very skillful, but if so disposed, I think I could raise a dozen questions, either with or without papers, to put the gentlemen opposite upon their metal.

The Provincial Secretary next proceeds to scold us for being "factious," and for not exhibiting the "large statesman-like views which prevail elsewhere." Let me ask, sir, whose business it is to propound "large and statesman-like views?" What are we debating here? The state paper for the year, which of all other documents laid be-

fore this house, should contain "large and statesman-like views;" and yet, sir, having perused it from end to end, I have failed to discover anything like a statesman's exposition of policy—a comprehensive indication of the course which the administration intend to pursue; or a delineation of the measures they are prepared to propound. Sir, has this country no commerce, no fisheries, no agriculture, no infant manufactures? Are we at this day in such a position as to require no legislative action on any of these subjects? The administration have had a year to consider what measures the necessities of the country require them to inaugurate and carry out; they knew that some active, vigorous government effort was required to meet the exigencies of our public position, and yet, in this famous state paper we have not disclosed a single measure of general public utility, designed by the government for the benefit of the country.—Had the Government prepared such measures, I need hardly say that the opposition were prepared to come up to their discussion willing and anxious to lend their aid to perfect them. So much for the "large and statesman-like views" of the government which are nowhere to be found; so much for the vaunting egotism of the hon. gentleman, whose only merit, if merit it be, is the promulgation of principles which by his own action he ignores.

He tells us that the cabinet, in England, though in a minority, are enabled to carry on "the public business," by the generous forbearance of the opposition, because seats on the treasury benches are not as here, of such consequence to public men. By this he would have the country believe that the opposition members are desirous only of obtaining office. In my opinion the hon. Provincial Secretary might have spared the reference; but yet, sir, it is not founded in fact. But a short time since, in my reading, I met with an account of the monies raised by the people of England to pay the debts of Pitt—and the anecdote of Sheridan, who held one of the highest positions in the gift of the Crown, exhibits still more forcibly the falacy of his argument. "What," said that celebrated statesman to a circle of wealthy Whigs, who were boasting of their political consistency, "have you to boast of? It costs a poor devil like me something to be consistent, who never owned a shilling in the world." It is a great mistake to suppose, sir, that every man in the House of Commons is so affluent as to care nothing for office. Even in this house there are a dozen men who in point of fortune are better off than many who sit in the House of Commons. Lord Derby in England holds power not because every body is wealthy and magnanimous, but because no other leader is strong enough to turn him out and form a new government afterwards. A "hostile vote" has not been given, because the opposition are not united, and if given, an appeal to the country might reverse it. Lord John Russell, Mr. Bright and Mr. Roebuck, such being the state of parties, assist the cabinet with good measures, as we would assist the Attorney General if he brought down any. But how long would a cabinet stand in England which opened a parliament with such a speech as this? without a measure—with no "large statesmanlike views," and no policy defined.

We are told that since the present Cabinet was

formed, eight elections have been run. I can only remember six.

Hon. PROVINCIAL SECRETARY.—Two elections have been run in Annapolis.

Hon. Mr. HOWE.—The Provincial Secretary is accurate, I had forgotten Annapolis, but that county should pass for nothing, as the Attorney General has it stereotyped, fixed and unmovable. The counties of Hants and Colchester returned two members, both in opposition to the government, and my hon. friend from Halifax has ably shewn how great in all these instances was the change effected in the Protestant feelings of these counties. This disposes of four seats and it will be recollected that the other four elections were run immediately after the change of government in 1857, and before the country was prepared to give a decision on the great questions which the people now thoroughly understand. But, sir, one class was prepared,—the Clergymen of one denomination had and evinced the deepest interest in the result of these elections,—the Catholic Priests spared no efforts to win for their people that ascendancy which they are now struggling to retain, while the gentlemen with black coats and white neck cloths on the other side had hardly begun to rub their eyes and wake up to a knowledge of the game which these Catholic Priests were playing. (Hisses in the east gallery.)

Mr. HOWE.—I have borne this kind of thing long enough; Mr. Speaker I see strangers in the gallery.

The Hon. SPEAKER.—Clear the galleries.

Hon. Mr. HOWE.—I have no wish arbitrarily to exercise the power which this house confers on me; still less am I willing to punish the innocent with the guilty. Therefore, Mr. Speaker, I withdraw the statement, but give notice that if any further interruption takes place, I will enforce my right and have the galleries instantly cleared. I was stating that when the election referred to by the hon. Provincial Secretary was run, while there was in this province a body of Priests on one side fully alive to their own interests, who actively engaged themselves in those political contests, the Protestant clergymen had not begun to comprehend their position and remained almost entirely neutral. But, sir, the discussions of the past two years have changed the condition of things, and now there is not a Protestant clergyman from one end of the province to the other who does not equally with the Catholic priests comprehend the nature of the issues which the next election will present for their decision; and when we come to that contest, sir, which is to decide between Catholic predominance on the one side, and Protestant equality in political matters on the other, we shall have the battle fairly set—the issues distinctly raised. I hold, then, that the carrying of those four seats during the winter of 1857 was no sign of the strength of the government or the weakness of the opposition. While the elections in Colchester and Hants shew conclusively that the opposition have gained great accessions of strength from the number of Protestant Conservatives who have joined us in both those counties.

In the next paragraph he tells us that the Railway "policy is a great injustice to the whole population of the Province." Sir, were I to go back to the speeches of the hon. and learned Attorney

General, and to the articles which have appeared in the organ of the government, usually supposed to be under the control of the Provincial Secretary, I should have but little trouble to shew that the government of which they are members, have always attempted to make out that Mr. Johnston, I beg his pardon for naming him, was always a much greater friend to Railways than Mr. Howe, and that the present government were and are constructing those works so fast that the people ought to be highly delighted.

But, sir, if it be "so gross an injustice" to construct a Railway to Windsor and Truro—let me ask the hon. Provincial Secretary how it comes that he never ventured in Cumberland to preach the doctrine that Railways constructed through these counties were "a gross injustice to the whole people?" When in Cumberland, I have been always met by this language from the hon. gentleman and his supporters, "we are opposed to you because we do not believe that you will ever make a Railway to Cumberland."

But if it is "a gross injustice to the whole population" to construct these railways, what took the hon. Attorney General in the first place, and the hon. member for Sydney and hon. Provincial Secretary afterwards to England, negotiating on the subject of an intercolonial railway—involving the construction of 3 or 400 miles of road at a large expense to this province, which would materially add to the amount now charged on our annual revenue? Sir, the Provincial Secretary is in this dilemma—the statement he has made is unfounded in fact, or if true, he, believing it, has been guilty of a gross dereliction of duty in attempting still further to extend our Railway system at the Provincial expense.

Sir, if the policy of constructing railways with public funds "deprives," as the hon. Provincial Secretary says it does, "remote constituencies of their fair share of the public money," and he believes that—does he not, by his own delegation, stand convicted of having attempted to extend and render more burdensome a policy which he himself characterises as a gross injustice. Let him escape from this dilemma if he can.

When that hon. gentleman and I ran our election for Cumberland, he attempted to impress the people of that fine county with the belief that if he could only get rid of Howe, the railway to the confines of Cumberland would be constructed forthwith. Four years have elapsed and not a single mile of road pointing towards Cumberland has been built, except the sixty miles to Truro, which Howe and his friends located, and that gentleman and his friends opposed. He is about to run another election; every man who voted for him will have a right to say, "where is the railway you promised us?" Will he dare then venture to affirm that the road has not been built because it would have been "a gross injustice to the whole population?" I think not. Last year the hon. gentleman had no answer to give; hence the necessity for that useless, fruitless delegation, which was intended to blind the eyes of the people of Cumberland, making them believe that there was some chance of their getting a railroad, which the learned gentleman has never had, and has not now, the wish or the resources to construct. They have been driven, like the Irishman's pig, who believed he was going to Ballinagh when he was going to Ballinasloe. The railway is on its way to Pictou, but



the Dr. has been making his constituents believe that it was going to Cumberland. Sir, if guided by "large statesmanlike views," the Provincial Secretary should at least have the manliness, on a question like this, to tell the house and country what he really is in favor of. He cannot desire to build a railway to Cumberland, if he thinks it would be "a gross injustice" to Yarmouth or Victoria.

The Provincial Secretary complains that we did not support that valuable government measure for "the equalisation of the representation," what the opposition would not themselves support, and what has been reprobated by the whole country. Does he call that Bill which they brought here last year an equalization of the Representation? If so, the hon gentleman understands but little of the meaning of the word "equalisation." Representation was diminished proportionably in those counties wherein Protestants reside, and given to other counties where Catholics predominated. The bill was therefore most unjust and unequal, and significant hints having been given by the supporters of the government of their hostility, the bill was abandoned without debate. Why, then, are we reproached? Again, he referred to the Mines and Minerals question; when the papers are all here, when this House is made acquainted with the number of mines opened, and the impetus given to the coal trade. Through the Report of the hon Inspector of Mines appointed under that bill, we will be in a position the better to judge of its beneficial effects. It would be at least more fair on the part of the government to abstain from taunting the opposition about the Mines and Minerals until the results of their policy are disclosed. The hon Provincial Secretary goes on to complain that we would not serve on the Railway Committee. Sir, when questions of such magnitude and delicacy, involving enormous sums of money, questions embracing wide and extended limits, where we ceased to be controlled by a packed majority on the committee, we exhibited good taste and good sense when we declined. In looking back to the action of that committee, as well as the absence of all action, to protect the Province on the part of the government, I cannot but congratulate myself on having preserved a thoroughly independent position. By and by, sir, when we see how these Railway contractors have been dealt with—when the measurements and accounts come in, I may have something to say to the Provincial Secretary. In the meantime, the consideration of these Railway matters may be conveniently postponed. Another of the unanswerable arguments urged by the hon gentleman is that in which we are told to be satisfied with vacancies which we may fill up. Sir, suppose the opposition are returned with a majority at the next election, how many seats will remain unfilled in the Legislative Council? Not one. The hon and learned member for Annapolis exhibited in 1847, the spirit which we have not a doubt would animate him in 1859. Should vacancies exist down to the elections, he will fill them up before he resigns the reins. Sir, the head of a certain gloomy department has done more for this government than they have ever done for themselves; they have a friend that sticketh closer to them than a brother; death has been the most efficient

member of this administration; he has been busy in thinning the ranks of the Legislative Council, and vacancy after vacancy in that body has occurred, strengthening the hands of the government and conferring on them increased power. They have filled up these vacancies wherever they dare, but there happens to be one which they dare not fill—lest they should take the wrong man—lose a supporter here, or have to run an election which they hardly flatter themselves they can win.

The Provincial Secretary tells us that "one of the most unpleasant duties ever imposed on him was the removal of Mr Forman;" well, sir, if that be the case, the sufferings of the government must have been, during the last two years, most intense. But they have not evinced any distaste to the occupation, for since they have been in power they have turned more men out of office than all the administrations within my memory. I shall be referred to the old commission of the peace, but no analogy holds good between the acts. In that case it was necessary to rectify, by a general application of a principle, an old and long complained of grievance. No man was deprived of the office on which he depended for the support of his family, upon political grounds and for political purposes. Sir, I do not believe the Provincial Secretary when he says that he performed a painful duty in discharging Mr Forman. If that gentleman was incompetent, if he made blunders, and on that ground was dismissed, how, I ask, does it come that Mr Mosse, who made the greatest engineering blunder committed on the whole line, was retained and appointed to a more lucrative situation than he had formerly filled? At Grand Lake he made an error in his calculations which will cost this country thousands of pounds. How he could have been retained in office and promoted to the office of resident engineer, I am at a loss to understand. If James R. Forman was expelled for a want of scientific skill and ability, the last thing the government should have done, if they desired to retain anything like a character for consistency, was to have retained James R. Mosse in office, and placed in his custody the most important public works in this country. But, sir, not only do the government dismiss Mr Forman, but they brand him as a thief, and charge him publicly with having carried off books and papers belonging to the government. Sir, when I saw that charge I felt indignant. I did not believe the charge. I knew that Mr Forman was doomed from the moment that he became a member of the Protestant Alliance. Had Mr Forman consented to be the pliant and subservient tool of the present government, had he been willing to lend himself to aid grasping contractors in extracting £70,000 illegally from the public treasury, had he ignored his own political and religious principles, no such charge would have been preferred; and at this day he would have been the Chief Railway Engineer in this province. The Attorney General told us that Mr Forman was not accused of felony until he had attacked the government. My impression is very different, but I may be mistaken. (The dinner hour having arrived, Mr Howe sat down, with the understanding that he would close in the morning.)

Hon FINANCIAL SECRETARY.—The member for

Windsor said, that up to 1839 no Catholic magistrates had been appointed for Guysborough. I can mention three. Mr Lannigan, Mr. Nims, and Mr Connors, and that was about a fair proportion. I mentioned 70 years, I meant not that my family and friends ruled the county for that time, but that they represented it for three generations. He talks of floating between both sides of the House; is he not well aware that there is no such wavering in the Financial Secretary? That was tried and discovered before now. Sixteen years ago I found it requisite to declare that the member for Windsor was so dangerous a man, that I would fear to sit as a member of any government with him, and I see no reason to change my former opinion.

Mr HERBY.—A part of the hon gentleman's remarks demands notice from me, but I intend waiting until the member for Inverness has addressed the house.

The debate was adjourned. The House adjourned.

THURSDAY, Feb'y 11.

The House met at 3 o'clock. The people, on entering the eastern gallery, made much noise, whereupon, on motion of Mr. Howe, the galleries were cleared.

(Friday the house sat with closed doors.)

SATURDAY, February 12.

Hon Mr. Howe.—I regret, Mr. Speaker, that I have to trouble the house again. I am not very well, and would be willing to waive the privilege of concluding my observations now, only that on the other side, much stress has been laid on the Provincial Secretary's speech. I touched briefly on the other evening, some passages of that speech, and shall proceed to test the value of a few more.

I hazarded on that occasion, a statement which I believed correct, that Mr. Forman had not attacked the government, as he had been charged with doing, until he himself had been openly assailed. I now hold in my hand his letter, dated 31st August, in which he quotes from the organ of the government, alluding to an assault which led to his first written communication in controversy with the government. What was that assault? I invite the attention of gentlemen on both sides to this attack, made on an officer who had been for eighteen months in the employment of the government. Listen to the language used towards a man, who, up to that moment, had held for years in every community where he was known, the position of a gentleman of worth and respectability. I ask members, are they going to sustain an administration, that not only dismisses a man summarily, but rashly charges him with conduct which would be damaging to reputation in any part of the world? When I made Mr. Forman's acquaintance, some years ago, he was living in Glasgow. I never said that he had reached the highest rank in his profession, but he had reached a position highly honorable, for a young man, a comparative stranger and unaided, to win in the mother country. He had been variously employed, and had rendered himself useful and valuable in his engagements. He had attained a reputation for integrity, in the

city of Glasgow, which Mr. McKinnon has attained in the county of Sydney,—what the member for Shelburne has established in the county where he resides,—what the member for Yarmouth maintains in his county. But, yet, the member for Yarmouth in his business, does not compare with the great ship owners of Liverpool,—the member for Sydney with the Duke of Norfolk, who owns perhaps, half a county,—or the member for Shelburne with one of the Rothschilds. To each and all, however, character is dear in the country where they earned it; and they would sacrifice many offices, rather than reputation for integrity. Listen to the language then which was applied to Mr. Forman, a few days after he was dismissed from office. (Extracts were read from the *British Colonist*, charging Mr. Forman with stealing the Books of his department.) I appeal to gentlemen on both sides, without party considerations, is this system to continue? If it does, will any man of honor take public office, or consent to serve his country. If the Attorney General thought fit to resign office, to abandon his colleagues, and devote himself to professional employment, would any be justified in making such charges against him, if he had merely removed papers for a few days to make extracts from them? or to close the business in what he had been engaged? I was not in the Province when these slanders were published, but if such charges were made in the organ of government, was not Mr. Forman justified in coming before his countrymen, and stating his case, asking for honorable consideration? We are all interested in so guarding public life, that public employments shall not become nuisances, and the acceptance of a place under the Crown, subject a man to barbarity and dishonor. If the penalties inflicted on James Forman and Martin Wilkins are to form the rule, it will become difficult to obtain any man who regards his character to embark in public life. There is a marked distinction between charging a man with want of capacity as an engineer, and with dishonesty; and I think the example thus set, if not promptly condemned, is calculated to have very injurious effects. Fancy an old friend of Mr. Forman, in Glasgow, taking up that paper, and finding a man whom he had esteemed, branded as a thief. Does any one believe that Mr. Forman would, had he foreseen the possibility of such an assault for the sake of two or three years' salary, have risked his character by coming back to his native country? Are we not, thus, approaching a state of things in which truthless malignity will drive the honest and respectable out of the public service. I do not mean to say that all Mr. Forman's statements are correct,—I guard myself from first to last, from being answerable for any acts of his subsequent to my leaving the Railway Board, or any mistakes in engineering before I left it; but if the article from which I have quoted be correct, what else could he do than rush into print to vindicate himself from such aspersions?

The Provincial Secretary referred to an occurrence at Windsor as justifying the act of the government in dismissing the hon Mr McCully. He said the Judge of Probate for Halifax was not dismissed for political reasons, nor for going to an election, and so far forgetting his position both as a judge and the station he occupies at the

other end of the building, as to appear on the hustings to oppose the government in a county where he did not belong, but it was for conveying the impression, when called upon as a man and a lawyer to vindicate the judges of the land from aspersions concerning the reprieve of a criminal that he had not been executed because he was a Catholic.

Mr McCully well knew that *the commutation of sentence was effected by the Judges*, and he thus assailed the very fountains of justice, and attempted to degrade the bench of our country in the estimation of the people.

Now in this morning's paper I find a statement signed by several gentlemen of undoubted character and veracity, six of them being members of the Legislature, by whom the Provincial Sec'y is flatly contradicted. It does seem unfortunate that the Provincial Secretary so often allows himself to be brought into direct antagonism in questions of fact, with gentlemen of undoubted veracity.

The hon gentleman sneers at the member for Inverness and myself, as "great financiers," whose views are erroneous. I will not anticipate the papers which are to be laid on the table; I may say that I do not pretend to be a great financier, but the old members of the House know that for fifteen or eighteen years past, the leader of the opposition has, in all questions of revenue and finance, of ways and means, lent to the legislature, no matter who formed the government, valuable aid and information when affairs of trade and commerce came up for discussion; and I know not of any able exposition, made by the Provincial Secretary which entitles him to sneer at the member for Inverness, or at anybody else on this side of the House.

One word about the mode of appointing sheriffs, the Provincial Secretary intimates that in defiance of the conservatives, the liberals passed a law taking the appointment of sheriffs from the judges. Such a law was passed, for reasons that appeared at the time sound and sufficient, and I venture to say, that with the present House of Assembly the Provincial Secretary dare not bring in a bill to repeal that act. The change had been rendered necessary by the practice that existed, and the new law has worked so well that if the hon gentleman brings in a bill for its repeal, he will find a majority here to overthrow his government.

In another passage of the Provincial Secretary's speech, I am charged with the dismissal of Sheriff Chandler. During the last election which I ran for Cumberland I stood at the Parrsboro' polling district. When I returned to the shire town, I found various reports to the effect that the jail had been turned into a grog shop, and that the deputy sheriff had been carrying voters against me, to drink in the jail. While I had power, for two or three years to dismiss Sheriff Chandler, I resisted much pressure from those who wanted to displace him. I was therefore astonished at the statements made, and declared that I would cause investigation, and, if the charges were true, would ask for his dismissal. The Provl Sec'y has heard my explanation once or twice, yet he repeats the charge. I meant what I said at the time, but almost immediately after I was sent to England, where I remained four or five months and I returned from that great country with my

mind somewhat enlarged, and my thoughts diverted from the small disputes in which I had been previously involved. Those who have so spent three or four months in the metropolis of the world know how lightly they there regard such matters of unlocal invitation. I never caused the investigation promised, I never urged any attack made on the sheriff, I never asked for his dismissal. Letters were sent to me from the country on my return, containing recommendations from Justices of the Peace, for his removal. These, in due course, were sent to the government, as the parties desired they should be; but if I remember right, I wrote to the parties who sent the petitions that I could not, and would not interfere with it unfairly, I therefore did not dismiss Mr. Chandler, although I would only have done my duty had I caused the investigation promised. I never assumed the responsibility of dismissing that officer, and do not now. He was one of those men, who, with a smooth face to everybody, had little sincerity. What he did at both elections was in accordance with his antecedents. When the power of removal was in my hands I did not exercise it. When it was in the hands of others I did not interfere, except to send forward such papers as were sent to me. It is not fair, therefore, for the Provincial Secretary to charge me with dismissing Mr. Chandler, unless he has some evidence, of what I have not the slightest knowledge.

What are the facts connected with the dismissal of Mr McLean? I invite the attention of both sides of the House while I examine this case. The charge against him is that he exercised his Sherieval functions, to cause a person to give up a horse without legal process. He denies the charge, and the case comes before government. The prothonotary of the court, the father-in-law of the Provincial Secretary, is the single witness against the Sheriff. I would be sorry to say any thing more of one standing in that relation to an officer here than this: I doubt if there is in the city of Halifax a more red hot partisan than Mr Silas Morse. I do not speak of personal character, or respectability, but I believe there is not a more rabid politician from one end of Cumberland to the other, and that there is not in the county a more thorough partisan. Well, McLean is charged with having done an illegal act; he denies it, and he produces his own affidavit, and affidavits from the attorney and his clerk, confirmatory of his statement. What next? A single affidavit of the political partisan I have described is produced at the other side. So the question stood before the judges and the government, three affidavits at one side, and one at the other. I cannot but express my regret, that the facts being as I have stated them, they did not pause, and say, here is a man sought to be deprived of office, here is perjury on one side or the other; the case cannot be properly investigated in secret; the judges in open court assisted by a jury, form the proper tribunal, and to them let the question be referred. I think if ever a case arose in this country that ought to have been duly sifted, in open court, it was that. I think the Provincial Secretary would have acted with more dignity, with more fairness to the country, more discretion in reference to the opinions of the House, if he had said, in such a matter of con-

fictitious testimony, where his own father-in-law was the single witness, that a decision, for or against the officer, could only be valuable, just or fair, if pronounced in open court.—He should have begged the Chief Justice not to settle a question involving three persons in a charge of having committed perjury, for it about amounts to that, on the affidavit of one person, a partizan so decided, who stood in such relation to himself. I do not undertake to say who was right; I know nothing personally about the question; I charge none of them with untruth, I would be sorry to do so, the three at one side or the one at the other, but does not every man feel that the case cannot be investigated here, and ought not to have been so hastily and so ignominiously decided by the government? From motives of delicacy, this case, instead of being summarily dealt with, should have been referred to the tribunals of justice, where the testimony might have been unravelled, and the truth discovered. As the case stands at present, Sheriff McLean has been deprived of office, driven out with a charge of perjury, not fastened on him by a court of his country, but his character blown upon in a mode abhorrent to the feeling of Englishmen at both sides of this house. Mr McLean, when I was acquainted with him a few years ago, stood as high as any comparatively poor man of the county, who had earned a good reputation. Two of the persons whose oaths confirm his statement, I know to be gentlemen of integrity and honor.

I touch for a moment on the Provincial Secretary's curious self-congratulation in his own and the Attorney General's treatment of the cause of temperance. I was never a professed temperance man, but down to the period when Maine Liquor Law was introduced I gave the friends of temperance my sympathies, although not the same active support that some others did who became members of the organization. Many of my nearest friends, and of my own constituents were temperance men. Perhaps from weakness, from habit, or from not wishing to give up the pleasures of the table, I did not join the association. I remember when I was asked to do so, because political capital might be made, and I was pointed to Mr Johnston's example, my answer was, I will not take an unworthy course by pretending to give a hollow support, if I can not go with the advocates of the measure heart and soul. I let them try out their views, and spoke of them and treated them with respect. We were called to debate the law, and I did so, on grounds which I still think cannot be shaken. The Provincial Secretary now admits that those grounds have been sustained in the conflicts of public opinion, and that in New Brunswick that the Maine Law has been shown to be impracticable, and that any attempt to force its move upon this country would be absurd. The hon gentleman seems to draw a strange argument from the conduct of some members opposite. What does he say? (Extracts were read from the Provincial Secretary's speech concerning the Attorney General's sustainment of the measure up to a certain date, and subsequent abandonment of it when defeated in the Legislative Council. Suppose Lord John Russell to have brought in a Reform Bill, and to have had a majority against him at one time in the House of Lords, and to have been defeated there.

Will any man assert that Lord John when he came in at the head of the government, and, with a parliamentary majority, could, consistently with his known character, have turned round and said to the people of England. True, I went shoulder to shoulder with you on this question, and we followed it up, until we had a majority in the house, but we were defeated in the House of Lords, and, therefore now that I have the whole power and patronage of government to aid me, I must abandon the measure. Would not the people say, you are now differently placed—you are now in a position to fulfil your pledges, and to give us the law. If his lordship put the bill aside, if he turned his back on the friends of reform and disappointed their hopes, I do not believe that he would be regarded in England as a very consistent public man and great reformer. I do not feel on this question as Temperance men feel, but I believe that a man who in opposition pressed a measure, and when he has power shrinks from it, does not put it in the Governor's speech, but leaves the organization that sustained him to drift hither and thither, without guide or pilot, assumes a strange position before the country. I do not dwell on the illustration given by the member for London-derry the other evening,—to the effect that the leader of the government not only evinced no intention of pressing the bill, but in a matter of comparatively small consequence, sets an example directly the reverse. That, however, is a question to be settled between the hon Atty Gen and temperance men rather than with me and the leader of the opposition. We took the course we thought right, and according to the principles we professed. The Prov. Secretary says: (An extract was read, referring to the conduct of the leader of the opposition, when the bill was lost.) What are the facts? The law was carried over night by a small majority, the Provincial Secretary's own colleague the member for Cumberland, voting against it. He gave notice to rescind: (cries of no, it was the member for Sydney, Mr Henry.) It may have been, but a motion was made to rescind, and the member for Cumberland, Mr McFarland, having voted against the bill over night, voted also against the rescinding next morning. These and other indications startled some friends of the government, who discovered that many who loved their glass were combining under the Temperance banner to sustain it. On this occasion, however, I do not feel called to exactly defend the action of either side of the House. The Provincial Sec'y goes on to say: (an extract was here read in reference to the election showing that Temperance men followed party more than Temperance principles, and that from such and similar conduct, the moral action of the question had been greatly damaged or destroyed.) Mr Howe continued—At the election alluded to I did not reach Cumberland until about half a dozen days before the nomination. I landed at Parrsboro'; Mr Fulton and I differed on the bill, and I did not know that we were going to run on the same interest; and he had made but little effort to canvass the county so far as I was aware. We combined and the contest commenced, but long before I touched the shores of Parrsboro' that Township was deluged with rum from end to end. I did not take it there, Mr. Fulton did not, who did? The scenes witnessed in different parts of

the Township were a strange commentary on the extreme anxiety of the Provincial Secretary to improve the prospects of Temperance in the Province. I do not mean to say that I did not follow his bad example, and turn a few bottles on his camp, but my opponent's liquor arrangements were so extensive that there was scarcely a mile stone where you could not get a glass of grog! I did not exactly complain, but to find him here notwithstanding all this, lecturing gentlemen on this side on Temperance is rather too much of a joke.

He says that with one exception all the leading men in opposition treated this measure with deadly hostility; the charge is utterly without foundation. I turn to the journals and I ask the attention of the Provincial Secretary, of the house and of the temperance men throughout the country, to what I am about to state. On the 9th of January, 1840, fourteen or fifteen years before the Provincial Secretary entered the house, I find this resolution on the Journals of the House:—

[Extract from Journal, 9th Jan., 1840.]

“On motion of Mr. Lewis:—

*Resolved*,—That it is expedient to inquire into the causes and progress of the evils arising from the intemperate use of ardent spirits, in this Province, with a view of discovering the best practical means of checking the progress of this evil, and to diffuse information respecting the three causes thereof; and therefore resolved, that a committee be appointed to obtain information on the subject, to consist of not less than five members, with power to send for persons and papers, and to report thereon to this House, as early in the session as possible.

Ordered,—That Mr Lewis, the hon Mr DeWolf, Mr Waterman, Mr McKim and Mr Holland be a committee for the above purpose.”

By that resolution five members were appointed, and how many of these were liberals? four out of the five! It is rather too much with that resolution on the books, sixteen years ago, moved by Gaius Lewis, and with four out of the five prominent liberals on the committee, it is rather too much to claim for the government side all the sincerity and all the perseverance brought to bear on temperance principles. Gaius Lewis was a pioneer in the cause, and if ever there was a sincere temperance man in this country, it was he. I believe he would have forfeited life before giving up these principles for office, or for anything else. What was done with him? Last year he was turned from the charge of a light house at Apple River. The old pioneer of the temperance cause, the old friend of Acadia College was turned from that paltry office, and on charges of incompetency and dereliction of duty; some reason had to be given for depriving him of the place, which I am proud to say, had been given to him at my instigation.

The Provincial Secretary takes credit for measures concocted last session in reference to temperance; what are they? have not I and others, who divided on the Maine Liquor Law, said that we would give all the practical reforms in our power? Some difficulty on particular points occurred, and I and the Financial Secretary stood on the same side on one clause of the license law, although differing in political opinions. But, what took place last session? It is said that

there is but one man in favor of temperance on the opposition side, and we are told that the new license law was of temperance, introduced by the present government. The Provincial Secretary wanted the house and the country to believe that the government introduced that law. What is the fact? I hold in my hand the names of the committee who prepared that measure. They were, Mr. McDonald, Chairman, Mr. Archibald, Mr. Bailey, Mr. Chipman, and Mr. Moses; so that this valuable temperance measure, as it is called, which they try to make gentlemen believe the government should have credit for, was prepared by a committee of five, four of whom were prominent members of the opposition. On this point, it appears then that the Provincial Secretary has spoken altogether without book.

The Provincial Secretary remarked that a party in the country “unmade” me without the assistance of any foreign ecclesiastic. I take the sarcasm for what it is worth. At that period, it was only Pope Johnston, who hurled his thunders at my head, but if disposed to go back to it, I might show that the parties “unmade” themselves. The result of that controversy was a reduction of the grant for Acadia College, from four hundred and forty-four pounds, to two hundred and fifty. I look back on the efforts of that day with some satisfaction. Having recently inspected the educational institutions of the neighboring states, whose rising youth enjoy the advantages of Harvard and Yale, with their dozens of professors, with their libraries of hundreds of thousands of volumes, with their splendid apparatus, and philosophical collections; and when I look at our divided educational institutions, with their two or three teachers each, their small libraries, and naked laboratories, I feel that right views were entertained and expressed on that on former occasions. I do not desire to go back into the discussion of 1844, Heaven forbid; but I feel that if the Baptists, who deserted us, did unmake the liberals of that day, they did not make the cause of education any more successful; they did not advance or elevate the country; they did not mature any policy of what they ought not now to be ashamed.

The hon. gentleman comes at last to the Catholic question, reading to me and to the member for Inverness, many lectures, and saying many things which have not, when examined, much weight in them. He appears to think that we are causing much mischief, rousing the worst passions of the people, and exciting religious strife. I would like to ask in the presence of the public, who commenced this warfare? Who here for the first time in twenty years, made appeal after appeal to his “co-religionists?” Who stirred up religious strife? Who, when I was not in the Province, did all he could to raise up this feeling, and make Catholics believe they were treated with injustice? It was not I, it was not the member for Inverness, but it was done here, and I have often wished I had been present to meet those first appeals of the learned member for Sydney to the bad passions of the country.—Let not the Provincial Secretary charge us wrongfully with commencing this strife: if some of us have been drawn into it, we have only followed the example of an officer of his government, and of his friends and partizans. He says that we have emblazoned the hated name of “prescription” on our banners. Where are they, where is

any banner of mine with such inscription? He could not tempt me to proscribe any man, but no combination of clergymen or laymen shall proscribe me, after a quarter of century's service in my own country. Those who try to ruin others, sometimes get what they wished to give, disaster and defeat, and the combination of priests and politicians who sought to trample down any Protestant gentleman of spirit and independence will assuredly reap that reward. He gives us a lecture on "toleration;" I dislike the word; it signifies inequality and indulgence; it means that men who have power are to tolerate those who have not. The word that I prefer is of much more significance, it is justice, not toleration.—Would I accept my own rights by toleration?—No; I win them, and hold them, on the broad ground of political equality. I would think little of either Catholic or Protestant who would be content with toleration. The man has but little claims to public character or spirit who would be content to be tolerated when he ought to have political equality with his fellow men. The Provincial Secretary's lecture on toleration, therefore, passes as the idle wind. He read to us the opinions of Rajah Brooks. The Rajah may be an eminent Christian, but I remember him best as a man of action. He may preach sermons on toleration, but when the inhabitants of Sarawack came to pull down the British flag—to destroy people's houses, to commit various outrages,—he slew and sunk them by the score. When they were subdued—when the British flag was secure and British power respected, then he treated the barbarians with clemency and published his humane proclamations.

The Earl of Carlisle's opinions on the treatment of the people of British India have as little bearing on this debate. The Sepoys deserted the British flag, carried off arms and ammunition, killed British officers, and violated and massacred British women. Did the Earl of Carlisle or any body else talk of toleration then? No sir, toleration was not thought of, until the lawless were brought to their senses. When the Sepoys were conquered, made to respect British power and keep the peace, as some people in this country must be taught, they were treated with all fair play, as I would treat every body, when the principles of law and order have been vindicated.

All the extracts read by the Provincial Secretary teach the same lesson. When the Queen's authority has been established—when the heathen has ceased to rage—when rebels know their place, and conspiring Bramins have been taught respect for the British flag, then, but not till then, do we treat them as fellow subjects. We are content then to accept Lord Carlisle's sentiments and to follow his example.

I now come to the Queen's proclamation, in which her gracious Majesty "disclaims alike the right and the desire to impose her religious convictions on any of her subjects." Well, has anybody here moved a resolution to the effect that Catholics or Protestants should be coerced in matters of conscience?—that if men do not believe the religion of the leader of the opposition they are to be flayed alive? No such thing.—For any thing I see to the contrary, I know not why this proclamation may not be published with all the documents which I or the member for Inverness has put forth in this country. "All

shall alike enjoy the equal and impartial protection of the law." What do we contend for?—The protection of law. What does that mean? Why that up in Gourlay's shanty there shall be the same law by which the richest and proudest are protected. That the poor man in his lonely shieling shall be secure, and that if any body of armed men invade his premises, and trample him in his blood, there shall be power enough to do what was done in India, bring the parties to their senses, vindicate the law, and impress the whole population with respect for the government and confidence in their institutions. Did the Queen issue that conciliatory proclamation until her power was apparent? No, but when law was vindicated, and the power of the empire established, when the parties were taught to respect direct authority, then appeared the proclamation. That document only proved that the political opposition here have discharged and are discharging their duty to the Queen.

I pass on to another topic of the hon gentleman's speech. We are told that the only Catholic at the Railway Board was removed by the government. Does he believe, will he say, that if that gentleman had not had the misfortune to be brother-in-law of the leader of the opposition, he would have forfeited his place at the Board? He paid the penalty, apparently, of his "affinity" to the member for Inverness; he might possibly have been dismissed under other circumstances; but we have the significant fact, that he is the only Catholic from end to end of the Province who has been displaced by the present government. I do not believe that he much regards the dismissal; I do not know that he ever set much value on the office; but I believe that if he had not been connected with our learned friend, he would have preserved his place. Let not gentlemen opposite take credit for that act as securing independence, but they turned out a gentleman whose support could be dispensed with, because he could not, under any political circumstances, take action against his relative.

The Provincial Secretary makes me to say that Catholics are everywhere the enemies of liberty. He will scarcely find any such sentiment in any reported and revised speech of mine. I may say, however, that I believe in all ages of the world, in all churches, as I understand history, where clergymen obtained unbridled power, they made bad use of it; and I believe that Catholics themselves are happier and freer when they live in the midst of Protestant communities, surrounded by the safeguards of Protestant institutions. I might refer to countries not so guarded, and find there governments and legislatures at the foot of the priest; and wherever it is so, liberty suffers, no matter what the land, or what particular denomination has the predominance. If the hon. gentleman means that I said that liberty could not exist in any Catholic country, I never said so. Some of the brightest periods of ancient and mediæval history illustrates the opposite opinion. History, however, teaches me to guard liberty from the exclusive power of ecclesiastics; and when I find a body of men banded together to dictate in politics, to control opinions here, I will take the stand which I have taken, and which I hope to maintain.

The hon. gentleman read also part of a speech of mine made at Preston. I wish he had read it all. I have looked over it recently, and consider

it one of the best I ever made. While I addressed the constituency there, on that day, the Attorney General stood upon a hill adjacent, addressing a similar body of people, of the same denomination. It was a proud day for Preston,—not a woman there that did not step lighter, not a girl that did not flaunt her drapery more gaily, in consequence of the event. They felt that Preston was coming to be some pumpkins. (Laughter.) Here was Mr. Howe, an able man from Halifax; but there was a greater man, Provincial Premier for the time being, standing on a hill top, lecturing poor manufacturers of brooms and retailers of cucumbers. On such an occasion I made that speech. If the Provincial Secretary read all of it, the house would see how it was required, for my own vindication, particularly with the Attorney General making his appeal on an opposite elevation. I believe that his speech was not reported, and therefore conclude that it was not so good as mine. (Attorney General.—Put that to the account of modesty. Laughter.) I give the Provincial Secretary the benefit of that address, and what does it amount to? At that time those who supported the Attorney General had been frightening the province with assertions that the Catholics were about to rise and do some damage. I had to meet that rumor in every part of the country. I assisted in opening the Guysborough road, and towards its extremity, at Tracadie, the Catholics had a small establishment where three or four old nuns resided. I knew the place to be harmless—I saw no fortification there,—no loop-holes,—no moats or ditches; but some of my constituents at Musquodibit were induced to believe, among other nodities, that I had opened the road for the purpose of letting the Catholics of Canada in to join those in Halifax, and destroy the Protestants of Nova Scotia, and that large stores of arms had been accumulated in that old nursery. I pretty well rubbed the story out of the heads of the people of Preston. At that time, Catholics had not demolished Gourlay's Shanty, had not combined to relieve the rioters from the penalties of justice,—had not sympathised with the enemies of Great Britain during war,—had not shrowded their houses in darkness, as if mourning for the triumphs of our armies, none of the things had occurred which have since provoked and excited feelings, and divided the sympathies of those who once lived in harmony. I do not mean to say that some of those to whom I allude do not regret what has taken place; I believe many of them do; I believe that the hearts of many Catholics appreciate the exertions of those who for twenty years fought for their liberties. I met an Irishman some time ago in Boston, who shook hands with me, and remarked that he had many times carried me on his back, and would like to again. Yes, I replied, but if you were at home now poor fellow, you would not be allowed to do it. He felt as thousands yet feel, who have been misled by blind guides, who know that for twenty years I protected and did them justice, who know that their present leaders have done them no good, but have involved them in fruitless contention with the mass of the population, and helped the estrangement of feeling; but cannot help it.

Referring to members of the opposition, and more particularly to the member for Inverness, the Provincial Secretary said, that if circumstan-

ces changed, so would our zeal,—that our Protestantism depended on circumstances. He is mistaken.

Before I had any controversy with the Catholics, when every Catholic in the country was my friendly supporter, they pressed me to join the agitation for a repeal of the union. Did I do so? No; and I had my satisfaction years after, when that movement failed, and its promoters sunk down to utter disgrace. I would not lend my hand to coerce the parliament and to imperil a great country by a disgraceful contest. I stood aloof, braving the hostility of many friends, rather than do that which I considered unjust and unfair,—and time proved the soundness of my views. Years after I stood here, and I forget on what occasion, said that though I might not be very religious, I respected the Bible—that book which is the foundation of Christian belief, and that if in this country any question should arise touching the security and the free use of that book, I would be prepared to take my sword in one hand and my Bible in the other, and fight for it as my fathers did of old. I made that declaration when the Catholics were my friends—when it might have cost me my seat, and the political position I had fairly won. Therefore, the Provincial Secretary is in error to suppose that our Protestantism is the result of accident or circumstance. I deeply regret that on me and others is forced the propriety of standing before the country and appealing to its feelings for the maintenance of our honour and political independence. Would Lord Palmerston, after thirty years' service, if he found himself denounced as I have been, by the leading ecclesiastics of any denomination, submit to kiss their feet,—or would he, as I do, fight it out and see whether they had the power to proscribe and put him down? When they put "proscription" on "their banners," I stood up and confronted them. I stand here to confront them still. I do not boast—I will not say that we are about to overturn the government; but this I say, that we have tested the power of those priests to stamp with ignominy any public man in this country. We have maintained our independence, and we await the judgment of the country, without an apprehension as to the result. In the meantime I think we are as happy as our old friends opposite. If I have any skill in reading the human face divine, that book of nature ever open to the human eye, they feel that they have sowed the wind and reaped the whirlwind,—they have not gathered figs of thorns, or much happiness, from the disruption of old associations. I regret the conflict, but at the same time feel that I only did my duty to the country, and in following it out, do not require to be schooled into toleration by extracts from the Queen's proclamation, or by the predictions of the Provincial Secretary.

Some member enquired the other day did I fear or hate any man because he was a Catholic? No; but I hate the act by which my head is broken—by which the law is violated—by which combinations to shield criminal offenders are formed. But it seems I praised O'Connell in that Preston speech, and remarked emphatically, for the edification of the Preston voters. I did. O'Connell is dead. His countrymen, then my friends, are now my enemies. But what I said of him then, I would repeat to-morrow. I always admired O'Connell, the greatest Irishman of mo-

dern times. I admired his energy, his versatility, his humour, but above all, the perfect skill and prudence with which he wielded the intellectual and physical resources of his country, and never violated the law. But who broke his heart? The party who called themselves Young Irelanders—who envied his popularity—who rejected his advice—who armed themselves with blacking bottles, got hunted through cabbage gardens, and banished to the Colonies and the United States, where they have been ever since a nuisance. O'Connell, contending for the rights of men, could not consistently receive tribute from Southern planters. John Mitchell, however, the young Ireland apostle, was a great enemy to inequality at home, but is a great advocate of slavery in the United States. Let me tell the Provincial Secretary that it was as natural for me to praise a great Irishman in 1849 as it is for me in 1859 to despise the small fry of despicable agitators and conspirators who, discarding his policy, have ruined themselves, disgraced their country, and created strife and animosity in every community to which they have been driven. This very summer we have had new conspiracies and more arrests, and it is not to be wondered at if I am indignant that the government of this country should be controlled by those who are the enemies of all government at home, who neither know how to elevate their own country or to respect the law.

With reference to the flag, the Provincial Secretary is very indignant, because I have not accepted an explanation made by him somewhere in the back woods, and which I never saw. What has the Lieutenant Governor to do with this desecration of the national flag? I hold the government and not the Governor accountable for that act, as I do for closing the public offices. And let me tell them that they would have stood infinitely higher, had they assumed the responsibility like gentlemen, and not have sought shelter from public indignation, by thrusting the Governor into the melee. No man more respects the personal freedom and security which the Queen's representative should enjoy in his own domicile, but if his advisors bring him on the roof of his house there to kiss a Catholic Prelate's toe, or to lower the national flag at his funeral, am I to surpress my indignation? If a public insult is offered to the loyal and religious sentiments of three fourths of the population, am I not to assume that the Queen's representative has done no wrong, but that his advisors have been guilty of a violation of the proprieties of public life. Bishop Walsh was a comparative stranger to this country. He stood no higher on his Church than others have done in theirs. When I recall to mind the aged and the honored men, the spiritual pioneers of this country, who, after half a century of toil in the wilderness, east or west, have gone to their long account, whose grey locks I can yet recall,—whose honored dust reposes beneath the daises and Mayflowers of the Province, the odours of whose sanctity will long live in the settlements they labored to improve, when I think of those old men, one after another sinking, I will not say "unwept, unhonored, and unsung," for they were wept and honored, and will be yet; but who ever heard of the public offices being closed, or of Government House having been put in mourning, when any of these men were passing to the tomb? Shall that be

done for a strange Priest, commissioned by a foreign potentate, which was not done for the Venerable "forefathers of our hamlets," who bore a much higher commission? God forbid. This act must never be repeated. It never will. But grant that the Cabinet are not to blame about the flag. What shall we say about closing the offices? The two acts must be taken together. Do we not know that the order was only withdrawn when Protestant feelings were expressed so strongly that it could not be enforced.

There is one remark made by the Provincial Secretary so imprudent—so impolitic—so at variance with the proprieties of debate, that I am astonished that any officer, pretending to taste and sagacity, should have ventured to make it. The Provincial Secretary tells us that "the Lieutenant Governor has ever treated the opposition with courtesy and attention." Does not the Secretary know that it is unparliamentary to introduce the Governor's name into our debates? Where is the necessity? Who here has uttered a word disrespectful to his Excellency? On this side of the house we recognise the importance of elevating the Queen's representative high above the conflicts of party—we desire that Government House may be a green spot, where mutual courtesies shall temper the aspirations of public life. No man has had more painful experience than I have had of the folly of thrusting Governors into conflicts with gentlemen, who though in opposition, will always, if their feelings are not outraged, treat them with respect. Now, suppose that when the Provincial Secretary made this absurd declaration, any gentleman had got up and contradicted him, what should we have had here? An unseemly discussion about the domestic arrangements and personal demeanor of the Lieut. Governor. Sir, I protest against the use of such language—against all provocation to such discussion, here or elsewhere. I protest against the system, which I hoped had been exploded, of ministers seeking shelter behind the Queen's representative, and attracting towards him the missiles which they should confront.

I think I have now disposed of all that requires notice in the Provincial Secretary's speech. I do not touch the Wesleyan story, for reasons already stated. A body of gentlemen felt indignant at some supposed slight, but they have done themselves justice, and I pass the subject by, because it might cause a discussion which I am most anxious to avoid. The Provincial Secretary intimates that the government have done something wise about a union of the Provinces. It would have been more satisfactory if they had stated what they did. (Provincial Secretary.—Will you read what I did say?) Mr. Howe read:

"As regards the question of a Federal Union, if the leader of the opposition had waited patiently until the government could bring down the papers and develop their action, he would probably have found that the course proposed would meet with the unanimous concurrence of this house, as with reference to a Federal Union of the Provinces, I presume there is but one opinion in this country."

I hope that he will prove a true prophet, and that there will be but one opinion in the country on this great question. But the government having allowed last session to close without eliciting our opinions, having taken twelve months to consider the question, should not this measure,



if there is one, to have been announced in the opening speech? We would then have had something to debate, and the speech would have been characterized by some declaration of policy.

Mr. Howe closed by a slight reference to the Financial Secretary's explanation about the Guysboro' magistrates. One of those mentioned was dead before 1839, and the two others were not appointed till afterwards.

Mr. McKEAGNEY.—Did I understand the member for Windsor, to say that I endeavored to cause religious strife here, by my appeals to the house.

Hon. Mr. HOWE.—Yes,—I did say so.

Mr. McKEAGNEY.—He mistakes. I say to the house now, dispassionately and guardedly, that I never said a word on any occasion, to stir up one sect against another; I said not a word derogatory to any sect. The idea sought to be conveyed, as I understood it, was that I tried to raise the feeling of my own people against others. I deny that. What I did, was to show that the policy of the liberal party was, and which I believe had belied the principles that they had announced at the beginning. I considered that party had left those principles,—and in doing so, that they acted in accordance with the views exhibited by the member for Windsor, in his efforts to array one religious body against another. We have heard the old story, again and again, of Gourlay's Shanty,—in reference to which occurrence, I may say, that it was condemned by every right-minded man who heard of it. Is it possible that all the Catholics of the country are to be blamed for an act committed by some strangers, unknown, and without character in the country? What is the condition which the hon. gentleman wishes to produce,—to arouse religious fury among Protestants, because some Catholics may have committed the offences alluded to. Should Catholics be assailed by gratuitous assertions? Should not persons making charges be obliged to put their hand on particulars? Has the hon. gentleman shown that the Catholic body ever attempted to fetter the free action of law? If such has occurred,—it is capable of proof. Such proof has never been given; the presumption is, that it cannot. At all events it is not fair, on mere assertion, for the Protestants to be influenced to array themselves against us. This is the brief answer which I give to the remark of the member for Windsor.

Mr. SHAW.—I had hopes, Mr. Speaker, from remarks of yesterday, that an effort would be made with some effect, materially to curtail the debate. That hope has been since given up, and I may as well be allowed to occupy a few moments in expressing my views. We have just heard a report from one of the great guns of the house, and I suppose an answer will soon be given by one of equal calibre from our side. The chief question of debate seems really to be that of the delegation to England. I consider that delegation right and just, and that the government acted properly in sending it, and that they would have done wrong if they refused to do so. I believe it is a step in the right direction towards making our Railroads remunerative. The question of Intercolonial Railway is of much consequence, and if the government had refused to act on it, they would, no doubt, have been more violently pressed by the opposition than they are at present. Complaints have been made about

the Provincial railways, about their construction and management. The roads are now open to Windsor and Truro; two trains ran daily, but that involved expense, and was not considered requisite, so that the arrangement now is, one trip daily. Some person has complained of the slow rate of travelling; but if the trains went too fast, that also, would be subject of complaint. Fault is found if the cars are impelled in one way, and fault if they are not. It reminds me of the soldier being flogged, who told the man that performed the operation to strike lower and then strike higher. The answer was, strike where I will I can't please you. So it was with the Railway story. If they run fast, it will not do; if they run slow, it will not do; if they run the platform cars in a certain way, as they had for safety, that will not do. The flag-staff story was not worth bringing here. It appears to have been introduced for electioneering purposes. I would like to see the flag lowered when any funeral occurred. If the opposition should come into power again, I fancy they will make a new office for one of their party, viz:—superintendent of the Governor's servants, and keeper of the halyards of the Governor's staff. The member for Newport passed a compliment on this side of the house, by saying that he would not have believed a certain report, only it came from conservatives. The Protestant Alliance is sometimes called political, and sometimes religious, which it is I do not know. It may have made some alteration in politics, of which I am not aware, I suppose it was for the purpose of making Protestant converts, and it may have made one, the Rev. E. Marturin, the only one I know of. Years ago on the decease of a Catholic in Annapolis, the bell at a meeting-house was tolled. The majority of that denomination were in favor of the then existing government; if the bell was to be tolled now by conservatives for such an event, I suppose it would form a political charge, and the alarm be sounded in every liberal paper in the Province. The hon. members for Windsor and Inverness have extended several invitations to gentlemen here to go across from this side, and as some hon. members appear to be very political this session, I may indulge in a brief parody:

Gents, friend Howe no longer dread,  
Be by friend Yongg no longer led,  
But welcome to *our benches* red,  
And to glorious victory.

HON. PROV. SECRETARY.—It would not seem respectful to the member for Windsor who paid such attention to my speech, if I did not notice some of his remarks. Before doing so, however, I will allude to one or two observations made by previous speakers. The member for Colchester spoke of the slow pace of the Railway trains; and I admit that the speed is not what it is desirable it should be; I think, however, that he did not take all circumstances into consideration. It is well known that in consequence of the small amount of travelling in winter, it was considered best that during the winter only one train daily should run on each road; and that involves the requirement of its being a freight, as well as a passenger train. If the hon. member looks at Railway travelling in England, he will find that freight trains travel slowly, from ten to twenty miles an hour including stoppages. Were it not for that it would be possible to make the time between Halifax and Truro much less. Sufficient allow-

ance also has not been made for difference in soil between Halifax and the Grand Lake, and from the latter place to Truro, and the consequent difference of speed on a road so recently made. Under the former Government and Board the road from Bedford to Schultz's was finished late in the year; the slopes came down, and the travelling was for a long time broken up. That is to be expected of a road opened late in the season, in a country like Nova Scotia, where, it is well known that there is much difficulty in making a new road safe. In consequence of alterations in climate, places safe in the morning may be impassable before evening; rails become displaced to the extent of a foot sometimes, and much care becomes requisite. Unless lives are to be jeopardized, you can not travel at a great rate of speed, where the road is new. I think all parties should make much allowance for such difficulties in this country. The member for Halifax explained concerning the loss of the engineer's life, before the change of government saying it was his recklessness. Did not that prove that no matter what government be in office, such men and such difficulties may be met with? Yet that recklessness did not transpire till the man's own death resulted. Mr. Morrison repenting the misstatements of the *Morning Chronicle*, said, "Where is the advantage resulting from the payment of £600 more to Mr. Laurie than Mr. Forman received—when the former has carried out but the designs of the latter, and that so badly that the road is almost useless. Do we not all know that a water course some 15 or 16 feet in length had been contracted to four feet,—the result of which is exhibited in some ninety or one hundred feet of the road being swept away at a cost of some hundreds of pounds to the Province."

I would be glad if the statement was correct; that the damage would cost some hundreds only instead of thousands, but if these statements were true in other parts, the government would be obliged to dismiss Mr. Laurie. The hon. gentleman says that the plans of Mr. Forman were carried out, and then he says the plans were altered, and consequently the damage ensued. I look on the accident that occurred on contract No. 11 and the damage, as so important as indicative of the incapacity or capacity of the person responsible, that it should be distinctly investigated, and the blame put on the proper shoulders. It is grossly unjust, by means of the press or otherwise, to send statements abroad of a damaging character, and unfounded in fact. I do not go at much length into these matters now, there will be another opportunity, but it would give me little trouble to sustain to the satisfaction of intelligent men, that as regards the true policy on railways, the leader of the government did advance views, in accordance with the best interests of the country, and I believe great injury was done when the House adopted the policy of the member for Windsor. Had his expectations been realized, results would have been very different; but what has been our experience? That principles laid down were inaccurate, that inferences drawn from them were delusive, and so far from Mr. Howe's predictions being realized, the misfortunes predicted at this side of the House have, uniformly proved to be correct. I could easily show that so far from being in a dilemma, or

in an inconsistent position on the railway question my course throughout has been consistent. Does the hon. member for Windsor thus mean to say, when we found the position of the country perilled by these works, already far advanced, we had any alternative but to go forward and take up the railway policy of our predecessors, however unfortunately it had been fastened on the country? The member for Windsor referred to Signor Blitz; he proved himself an expert Signor Blitz by taking up my speech, saying there was nothing in it, yet devoting most of two days to its analysis. As regards the railway policy and the county of Cumberland, it has always been the avowed determination of the government to obtain an inter-colonial line if possible; I did what I could to realise its accomplishment. We turned our attention to the only means by which the country could be extricated from the difficulties in which we are involved. Although I represent the county of Cumberland, I do not hesitate to say, if the member for Windsor were to rise and move that under existing circumstances the people should undertake to borrow money to build to the borders of New Brunswick, without arrangements for being met there, I would be obliged to oppose such a proposition; because while benefit would be done to one part, injustice would be caused to the remainder of the Province, such as I could not justify in my own county or anywhere else. When the government assumed office, they took up the Railway policy as they found it; tried to make it successful, and to carry it on in the hands of those whom they found engaged in the work. The resignation of Mr. Howe was voluntary; he was not called to take that step, but it appeared that he would not serve under the present government. We tried to arrange as good a Board as we could. As to the removal of a Catholic, it was not in consequence of any affinity with the leader of the Opposition; the subsequent selections were made with the sole view to the public service. Mr. Cunningham was considered a determined Conservative, but it was thought advisable to relieve him from the duties of the Board, and so with Mr. Tobin, believing that those retained were the most competent for the work. We may have been mistaken, but our views at that time were, that it was wise to retain the two commissioners that remained, and the Chief Engineer. The latter was decided on, not that we supposed Mr. Forman to possess the capacity desirable for dealing with such a work,—not that we thought he had the requisite knowledge and experience, but because we found the work in his hands, the contracts were made by him, and the line laid out, and we considered it of consequence that the contracts should be closed under the same management. We had pretty distinct evidences, from day to day, of his incompetency to discharge the duty assigned to him. It was patent to the country, before the Railway Committee rose, that difficulties had occurred under his management, and that change was called for. The estimates for the cost of building the road should have been accurately stated, but that was not the case, and large mistakes in the surveys were admitted by Mr. Forman. He was answerable for these, as the Atty. General would be, for papers drawn in his office by some of his assistants. It being decided by the House, that a

thorough investigation of the works should take place, we sent for an engineer. Did we select a man subservient to our views? No; we laid on the table the correspondence with that gentleman employed, and I regret that that correspondence was not placed on the journals, for it was due to Mr. Laurie that his vouchers should be placed before the people of the country. They have been before the House, however, and were read here, and it was seen that so far from trying to obtain a person to carry out any particular views, we sought out the ablest man we could get, at the lowest price for which such services could be obtained. In reference to what should be the salary of such an officer, Mr Forman affords testimony that ought to be considered satisfactory. He has said that he would have scorned to come for £1000 a-year. If that be so, it will be seen that the arrangement made by the government, considering the abilities secured, was reasonable. While in London I enquired respecting the emoluments of an engineer with whom I was acquainted, and was told between £4000 and £5000 per annum. £1500 therefore, may be considered a low sum for the services of a man of the requisite skill and capability. Mr Laurie came to the country, and went over the works. I walked over much of the Windsor and Truro lines with him, for the purpose of acquiring knowledge such as would be wanted in dealing with such questions. When we came to No. 11 contract, which had been located by Mr. Forman, and was then graded to a great extent, he told me that the part of the road where this damage occurred was too low, which statement was confirmed by the inhabitants, who said that the land was flooded at certain periods of the year. On examining the masonry estimated in the schedule, it was pronounced by Mr. Laurie to be totally insufficient, and that if the road was constructed on the plan laid down, the culverts would be carried away. I immediately on our return had communication with the Chairman of the Board, and the Chief Engineer, and stated Mr. Laurie's opinion to them. These views respecting the insufficient masonry on contract No. 11, were strongly expressed in Mr. Laurie's report; I dwell on it, in proof of my opinion, that Mr. Forman was not capable for the work, and that Mr. Laurie was master of his business. The additional means stated in that report as requisite for No. 11, and the bridges at Millbrook was £2,400. Beattie's line ran along the margin of the upland, avoiding Millbrook, except at one place, where a small bridge would be required;—Forman located the road through the intervals, and over the serpentine stream, which has to be crossed, I believe, five times. When I made the statement about No. 11, Mr. Forman explained that it was not essential that all the masonry should be provided for, that the work being to be paid for by the lineal yard, the difference was not of consequence, and that what was required should be attended to. Mr. Laurie has been most unjustly assailed in the press and the house. His wish was that Mr. Forman should be retained; he said it was of great importance that the work should be concluded by the engineer who laid out the road, and made the contracts, and it was with difficulty he was induced to take it in charge. Instead of any feeling against his brother engineer, as has been said, his references to him were deli-

cately made. Mr. Forman undertook to raise the road at the place alluded to, and therefore the report was silent on the subject.

In Mr Laurie's Report he said, with reference to the bridges on contract No. 11, "of the main line no masonry has yet been constructed, and the quantity in the schedule appears to be insufficient. Truro mill brook is crossed four times, and should have a water way of not less than 25 feet. The waters of this brook are reported to spread over the meadows in high freshets to a depth of 3 to 5 feet, and as the flow will necessarily be obstructed by the railway embankments, sufficient opening should be left for the passage of the whole body of the water. In the estimate I have provided for about double the quantity of masonry and bridging shown in the schedule."

After Mr. Laurie's report was submitted to the House I again called the attention of the chairman of the Board to that part of it, so that their blunders might be rectified. Mr. McNab communicated with Mr Forman on the subject, and here is the answer he received from that gentleman --

ENGINEER'S OFFICE,  
Halifax, March 1st, 1858.

"SIR,—In reference to the amount of drainage entered in schedule for contract No. 11, and in reply to your enquiries relative thereto, I have to report that this item is accurately defined during construction, and the schedule quantity is only intended as a probable estimate. However, I am of opinion that this quantity will be found nearly correct."

Thus we find Mr Laurie stating that a sum of about £2400 additional was required, and Mr Forman adhering to his first statement; with testimony before him. It appeared he could not afford to accept the information, but resolved to doggedly adhere to his own expressed views. Mark the results. I hold in my hand a letter written by Mr Faulkner, surveyor at Truro, well known not to be friendly to the present government, in which the damage occasioned on that contract by the freshet is declared as follows:—

TRURO, 22nd January, 1859.

Sir,—

In accordance with your directions I have examined the culverts, drains, and bridges on contract No. 11, to ascertain the damage done by the late freshet—you have already been informed that at peg 2,020 the wall had fallen on one side, at 2088 one side of wall had fallen and the water had washed out the earth for 10 feet wide, leaving nothing but an arch of frozen earth to support the road—at 2045 both walls are fallen, and the earth washed away about the same as the last, and the road supported the same as the last mentioned (at 2088)—both these appear to be backed in with old logs and brush, which in some measure assisted the water to pass through them. These three are nearly repaired and will be finished to day at noon; by placing timbers under the sleepers to take the weight off the culverts. At peg 2150 there is a hole washed out between the culvert and embankment about half way across the road, but not dangerous. At 2300 part of walls fallen and end fell in—is repaired. Drain at 2368—part of wall and covering fell. Bridge at 2376—part of coping off, mortar washed out of wing walls—the foundation appears to be injured and a part of the coping is gone.

There are several of the drains so filled with ice and the bridges are also so full of ice, that it is not possible to ascertain whether the foundations are injured or not, but I am apprehensive there is more damage done than I can discern at present. The south wall (or a part of it) on the road crossing at Brookfield Station has fallen and also the culvert at the road crossing at Truro Station is nearly all down. The water at Brookfield Intervale was over the Rails from 9 to 15 inches for about 30 rods and about 250 cubic yards of ballast taken away. At peg 2020 on the Post Road crossing, the water was 12 inches above the rails. At 2040, the water was 6 inches above rail for about 400. At 2173 I believe from marks which I have found the water was at the top of the embankment before the culvert went out. At 2235, the water was 12 inches over the rails for about 60 yards. At 2258 the water was 15 inches over the Bridge. At 2272 the water was 15 inches deep on top of bridge, and the road was covered for about 20 chains from one to two feet deep. The bridges did not pass one quarter of the water, (although the channel of the brook is filled in places with logs and brush wood which would have a tendency to raise the water elsewhere)—from 2305 to 2315 the water was from one to two feet deep. The water was also over the road at peg 2365 for 40 yards—at these last six mentioned places, about 900 yards of ballast has been taken away. When the ice is out of the bridges and culverts I will make a minute examination and communicate any additional facts that present themselves.

Your obedient servant,  
WILLIAM FAULKNER.

JAMES LAURIE, Esq.

Chief Engineer, Nova Scotia Railway.

Mr Forman stated in his letter, that the plans of those bridges were on the ground, and on June 29th that contracts had been made, and that the masonry of No. 11 would be finished on the 1st September. Mr Laurie was not appointed until the 25th of August. Mr Forman's letter of the 19th August shews that only five culverts were not commenced at that date; yet not one of these are among the number spoken of by Mr Falkner as having been injured. The contract spoken of by Mr Morrison and the *Chronicle* as having been contracted by Mr Laurie was returned completed and paid for by Mr Forman, July 31st.

The sagacity of Mr. Laurie and the incompetency of Mr. Forman were here incontrovertibly established. Mr. Laurie had no course open but to finish the work, as it was far advanced at that time; any other course would have prevented opening the road this year. (An extract was read about returns and quantities paid for by Mr Forman's direction). I ask those who seek to influence public opinion, whether, with these facts it is right or just to say that Mr. Laurie contracted the masonry provided for by Mr. Forman? Eight or ten other contracts in different places have been carried away, after being built by Mr Forman. Gentlemen opposite have chosen to bring up this question, without dealing systematically with it; they may have done so advisedly, to prevent the government from putting the whole case before the country so satisfactorily as to preclude a word of objection from the other side. It was presumed that the subject would go

forward in that way, without adequate discussion, and therefore I felt the necessity of calling the attention of the house to these facts. Mr Forman was not discharged until we were satisfied that there was no chance, under his management, of having the road opened to Truro during the summer. When Mr Laurie first came here we found that instead of the rail used in the United States, Canada, and New Brunswick, we had such as those used in Great Britain, which cost much more, and were less suitable and safe for our climate. A sum of £6000 was therefore saved in one order for rails, by the advice of Mr Laurie. Mr Forman, I believe, never saw an American railroad, if he did there was less excuse for his want of information on this matter. I understand that in rails alone, a sum of £40,000 has been worse than sunk by the incapacity of the engineer. Such rails do not answer here. Tons and tons of cast iron chairs required for them have been broken up by the frost, but they will sell for old iron, as the member for Windsor intimated on a former day, respecting the rails. They require to be wedged up, and to have men employed almost continually. In this way the danger and cost was much more than with the present rails. Other evidences appeared to show that Mr Forman was unequal or unwilling to carry the work forward as required. We find unreasonable demands made on some contractors, and the demands of one month differing from those of another, without due reference to the amount of work that had to be performed. (Extracts were read in reference to contract No. 8, and the proportion of work that had to be done.) One of the first steps taken by me after the House rose last session, was to address a note to the Chairman of the Board about the opening of the road. The first of November had been stated to the House, in view of all the facts, and that date was supposed correct. After going over the road with Mr Forman, Mr McNab called at my office, and said that there was not the slightest probability of opening the road to Truro that year. I said, do not repeat that to any person; the road shall be opened; if one engineer cannot do it, another will. After the difficulties and disappointments on the Windsor line, after doing all we could under the circumstances, and after announcements made to the Legislature, it became evident that we could only go on satisfactorily by the change of the chief engineer. I would here remark, that an engineer may ruin a contractor in a week, by requiring what is impossible to be accomplished. If four hundred men for instance are directed to be employed where only two hundred are wanted, or can work to advantage, loss and ruin might soon be brought about, if an engineer were so disposed. It appears that Mr Forman required that three-fourths of the work should be done on No. 8 in August, while he had agreed to give until November for its completion. (Extract was read.) We had these difficulties coming up day after day, and we felt that we could not stand before the House or the country if—the moment we found the work would be frustrated, and expectations defeated—we hesitated to make the necessary change. I state again that one of the most painful acts of my public life was Mr Forman's dismissal. The member for Windsor said that the government punished the

chief engineer without excuse, and blackened his character. If that were so, there would be some grounds for the charge of severe dealing. The terms used in the *British Colonist*, in reference to Mr Forman's conduct, were not precisely those quoted by the hon member. The words were "purloining" and "rascally"; and I ask the House, as Mr Forman's friends have brought the question here, what other adequate terms could be used? How could conduct such as Mr F's be characterised without strong terms? Suppose a merchant had a clerk whom he paid by the year for selling goods and keeping his books; and that he had reason to believe that he was not attending to his business as effectively as he might, and that he payed him in full and told him he had no further occasion for his services. If the next morning he found his books, containing important entries, and the possession of which was requisite to prevent him from becoming bankrupt, taken away surreptitiously, without the knowledge of the chief clerk, and after office hours, without intimation, how would he characterize such conduct? Would he not say, why purloin my books? They are my property, not yours; the detention of them for an hour might be disastrous to me. It is said that "purloin" is too strong. Here is a letter directed to Mr Forman by Mr McNab, the day after the former was removed from office. I wrote to Mr McNab, stating the appointment of Mr Laurie, and requesting that he be put in possession of the books and plans. Mr McNab tried to carry out the directions of government. What did he find on visiting the office of the Chief Engineer? You may judge by his letter to Mr Forman, which was as follows:—

RAILWAY OFFICE,  
26th August, 1858.

DEAR SIR,—I beg to enclose copy of a letter received from the hon. Provincial Secretary, and in conformity therewith I went to the Engineer's office to receive and hand over to Mr. Laurie the books and papers connected with the office and works under your charge, and found from Mr. Smellie that some of the books and papers were not there, viz:

The Engineer's returns of work done on the several Sections since September, 1857.

Specification Book.

Letter Books, containing correspondence with the Contractors, &c.

And he stated that you had removed them. As all these are public documents connected with the work in which you have been engaged. I hope you will on receipt of this see the necessity of returning them to the office without delay, that I may hand them over to Mr. Laurie, as directed by the Provincial Secretary's letter.

I am, dear sir,

Yours,

JAMES McNAB.

James R. Forman, Esq

The books and papers here referred to by Mr. McNab were as much the property of the government of Nova Scotia as the books of a merchant are his own. It has also been stated that Mr. Forman was assailed in the paper published by the Queen's Printer, and his character blasted without provocation. I have under my hand the first statement that appeared in the *British Colonist* on this subject. It is as follows, date of

August 31st:—"We will now turn from the subject of a Conservative's letter to the loud, deep and fierce howl of the radical press, at the long looked for removal of Mr. Forman from the important post of Chief Engineer."

The *Morning Chronicle* of August 28th had said:—"We deeply regret Mr. Forman's dismissal, because his known integrity was a guarantee against fraudulent certificates and dishonest contractors. Whatever sums the Chief Engineer certifies, *must be paid*. A dishonest contractor and a fraudulent engineer may rob the province with impunity." Previous to any attack upon Mr. Forman by the *Colonist*, in addition to the above vile insinuation, the following appeared in the *Chronicle*:—"An upright, honest, religious, unassuming man, he (Mr. F.) has been victimized to gratify Roman Catholic cravings for revenge, and the hatred of a batch of dishonest Canadian contractors." This proves that before he was attacked, the organ of the opposition had assailed the government with the grossest calumnies. The government are thus charged before an offensive word was said by the press supporting them, with having been guilty of gross corruption and injustice, and with having sacrificed the engineer, that they might give without stint the public money to contractors. That is the answer which I give to the member for Windsor, for whom some excuse may be made in consequence of his absence from the province, by which he had the good fortune to escape these disputes. I am prepared to give day and date for every statement which I advance; and I can prove from the statements of the member for Windsor himself, that Mr. Forman was not to be relied on on some points—in fact was unworthy of confidence as an engineer. I do not wonder that that hon. member finds it necessary to be extremely delicate in the advocacy of Mr. Forman. If any hon. member move for the submission of papers on the subject, even with reference to the past government, they shall be produced willingly. Some days since a portion of the press said that Mr. Laurie was brought here to rob the people of the country. What are the facts? The contractors urged claims in consequence of mistakes made in laying out the road. Some of those mistakes were so great that a contractor, Cameron, one of Mr. Forman's friends, finding himself ruined by the work, was allowed to give up the contract,—and a special clause was made, providing that all materials put into the lake were to be paid for. That was under the former government, and yet we are told that the government are anxious to fritter away the public money. The claims made for extra work, arising from incompetency, were referred to the Board, and the government refused to advance a penny for them without the recommendation of the engineer. The contractors came here by petition, and did we attempt to pack a committee on their claims? The revising committee named the committee of enquiry, and placed on it three of the ablest minds at the other side of the house. These shrank from their duty, and in doing so, I consider exhibited the most factious opposition ever witnessed. The member for Windsor attacked the member for Digby as trying to check debate last session, and for not standing forward to defend the interests of the country. The *Journals* do not show that he moved the "previous question," he only intimated an intention of so doing.

but that was withdrawn. So far from shrinking from his duty as a public man, he took that action because, if the question were not then taken, he would be obliged to return home, and he was anxious to give his vote before leaving the house. Do we find all the friends of the member for Windsor, however, guarding the treasury on that occasion? No. Some went away, not waiting to hear the speech of the hon. member, and they were not present at the division. By reference to the Journals you find that the members of government were in their places at half past one in the morning; on the other side were twelve only of the opposition, when that great vote, on which a sum of £70,000 was stated by Mr Howe to be at stake, was taken. Is the hon. member in a position to taunt the member for Digby, because he pressed the vote, that he might record his opinion on that question?

I will not occupy much time with the flag story. It has been brought here until its very mention excites unpleasant sensations. The member for Windsor must feel the position he assumes to be unworthy of himself. The member for Halifax admitted that if he had heard the explanations respecting the flag, and closing the offices, of which he was unaware in consequence of absence, he would not have alluded to the incident as he had. The explanation was given by a member of government, at a public meeting on the 21st August, as will be seen by a reference to the *British Colonist*, of Sept 21st, in which it was reported as follows:—

“Dr. Tupper said that, although a hundred miles from Halifax at the time, he had heard the particulars in both cases, and would state them: With reference to closing the public offices, there was no order in Council—the Lieutenant Governor and members of Council had not even considered the matter. At the request of a clerk in one of the offices, the Hon. Attorney General said that there would be no objection that any of the clerks should attend the funeral, and when it was then suggested that it would be as well to close the offices while the clerks were absent, he replied very well. It was not the act of the council, but of an individual, and when next day some objection was raised to the proceeding, Mr Johnston at once said that the offices could be kept open as usual.

“There was still less ground for the assertion that the flag at Government House had been lowered at the instance of the government.

“Neither Lord Mulgrave himself, nor a member of his government, knew that it had been done, until on going out into his grounds, His Excellency happened to observe it, when he immediately reprimanded his servant, (who had followed without orders the example of the other flags in the city,) and ordered it to be run up.”

That statement was given at once to the country; and until its facts can be challenged, the press and public men should consider their mouths closed, as regards charging the occurrences on the Lieutenant Governor or the government. The consent that the public offices might be shut during the absence of the clerks at the funeral, was given by the Attorney General, and it was so explained immediately after. Is there any ground for the assertions that have been made? What position does the member for Windsor occupy on this question? He lays it down as a rule, that an explanation should not

be given here, respecting an act imputed to the Lieutenant Governor, and yet for the same act he holds the government responsible. Am I to understand that the government may be assailed on any assumed ground, and at the same time, that the lips are to be closed of those who are acquainted with the facts? That would be in violation of all Parliamentary rule and principles, recognized everywhere throughout the world. Wherever responsible government exists, a ministry is the constitutional source, by which information is conveyed, and explanations given directly or indirectly. May he assail the character of the country, say that the national flag has been dragged in the dust, and not allow any explanation? Is that just? Should he assail the government for doing that which they did not, and give them no opportunity for explanation?

Concerning the Wesleyans, for instance, does the hon. gentleman wish to arraign the Lieut. Governor, for his own act, and yet, admit of no explanation? That would be, not only a violation of Parliamentary rule, but of all Provincial precedent. The hon. member has been one of the readiest to give explanation himself. Suppose, by an illustration of his own, that an incendiary destroyed a public building, would he hold the Board of Works responsible, and yet, deny all opportunity of explanation. No, and therefore, I do not understand his illustration? Mr. Howe talks of large statesman-like views, and inquires had we no measures of Agriculture, Fisheries, or Manufactures, to put in the speech?

Sir, these are the last questions he should ask. Have not the means to stimulate Agriculture been put beyond the reach of the Legislature by his railway policy? The member for Inverness, at one time, intimated that he was about making some more than ordinary effort on Agriculture, and gave notice of a public meeting, to be held here, but the means for carrying out the scheme were wanting, and we heard nothing more of it. Who gave away the fisheries? There was a time when both these subjects might be spoken of and measures devised to advance them; but the gentlemen opposite gave away the fisheries. I do not say that they did wrong, but after doing so, the taunt comes from them with an ill grace: that nothing is proposed to advance them. Concerning manufactures, have they not pressed the doctrines of free trade, and I believe rightly, but should they thus, speak of manufactures, after the question in effect, being placed beyond our power? Nature has done much to make the Province a manufacturing country, by means of so general a distribution of water privileges, and the rich mineral resources, with which the country is replete; but free trade prevents us from profitably competing in that race. With these facts, should gentlemen opposite complain of Agriculture, Fisheries, and Manufactures, being neglected; which their own policy has placed beyond the reach of the liberality of the Legislature.

I made no taunt such as the member for Windsor understood, concerning the comparative wealth of both sides of the house; to do so would not be becoming. I said that official position in this country was an object of pecuniary advantage, and that in that we differed from Great Britain. I did not say that no statesmen in England were poor, the fact of Pitt's debts being paid by the nation is a proof of my assertion.

In discharging the duties of the place which he held, he became poor. Official station the eases expenditure of personal means, instead of, as here, being a source of emolument—a means of living.

The elections of Hants and Colchester have been alluded to, in reference to the increased majorities and the influence of the Catholic cry. I believe that view to be fallacious, and that that cry is rejected in every part of the province by intelligent men. Look to Earl Town in Colchester, are there more intelligent men or staunch Protestants in the county? and yet they recorded their votes against the member for Colchester, notwithstanding the insinuating manners of the other member for Colchester may have influenced some. I admit that in Cumberland the conservative majority was reduced, although I was sustained by more Roman Catholics than had previously voted for me; yet I was always sustained by many of them. I deny, in reference to the counties named, that the Protestant mind has been materially affected by the agitated question. I would blush for the intelligence of a county so influenced. In the Annapolis election the opposition did not dare to bring forward a candidate. The gentleman who opposed Mr. Shaw's election stated that he would support the government. At Granville there was no opposition. As regards Cumberland, I challenge gentlemen opposite to put their finger on half a dozen intelligent men effected by the cry. I went to the county underrating the opposition; my friends took similar views and thinking effort unnecessary, the deficiency in the majority ensued. But I would be willing to try the county to-morrow on those doctrines. Were my Presbyterian and Methodist friends, by whom I am so largely supported, found shrinking from me? Nothing of the kind; they supported me with their usual spirit and determination.

Concerning the representation bill, it was prepared with entire reference to a fair representation on the principle of population—with the exception of the city and county of Halifax. A sufficient reason why that has not been presented this session, may be found in the circumstance, that as it affected the seats of some friends of the government, it had to stand on its general merits without reference to any particular party, yet it was met with a factious opposition by the press of the opposition.

Respecting the Hon. Mr. McCully's dismissal, it is known that the government are not yet in a position, as they will be, to lay the minute of Council by which he was dismissed on the table. When it is brought down, it will prove that the reason for his dismissal was stated to him, and in his letter in reply he did not undertake to deny the statement. The reason was, his having refused to vindicate the Judges from a charge made improperly against them. At the election, charges were made in reference to the r'priev of a man who had been convicted of murder. I explained, and called on Mr. McCully, as a man and a lawyer, to vindicate the Judges from these aspersions. His answer was in support of the imputation against the government, in which the Judges were implicated. The view I took of the nature of his answer was more than borne out by several persons present at the time. His letter recently published does not directly contradict my statement, but gives a confused account of

his explanation, which does not agree with my recollection. His speech at the hustings did impugn the chief officers of justice in the province; I am prepared to sustain that. Had the government hesitated to dismiss him, they would have deserved reproach, as shrinking from their duty.

As to the Liquor Law bill, my colleague was opposed to its passage until it had been tried in New Brunswick; but when it was decided on by a majority of this house, he declined to vote for rescinding the resolution, and expressed willingness to give all the aid he could to perfect the measure and carry it out.

The member for Windsor says that proscription is not on his banners; and admitted that his ire was raised by attempts at proscribing himself. I agree with him in the latter—that having made himself obnoxious to his former friends, in consequence of his want of allegiance to his political chieftain, the party was broken up. What was seen when he held a place of £700 a year, under the present leader of the opposition? Did he not aver that the government of the member for Inverness was unable to protect life or property? It may suit the hon. member now to act differently; but my view from the first was, that he was excited because his own interests were at stake, and he sought retaliation on his old friends, who would not support a government which allowed him to abuse them.

Is not proscription on his banners? Have not gentlemen opposite given in their adhesion to the Protestant Alliance? Did not the member for Halifax, last session, avow the adoption of their circular? Does it not run hand in hand with the "manifesto"? Is there no proscription in that circular, when it says, because certain people held distinctive religious views, that therefore they shall have no share of the public money for education? Is there none when it is said that the precedence given to their ecclesiastics shall be taken away, on account of their religious opinions?—precedence directed by the British government, in papers laid on the table by the member for Inverness, and without any remonstrance from Mr. Howe, and which now has the constitutional sanction of law? When it is avowed that such precedence, in reference to one body only, and their share of the public money, is to be withheld on the grounds of religious opinions, I ask if there is no proscription on their banners?

Appeals were made by the hon. member to the kindly disposition of his former friends; and I believe that personal feeling and interests, not the offences charged, are the true cause of the war which exists.

The hold of the member for Windsor on the affections of many of the people is unequalled in political history. We have seen him elevated step by step to the leadership of the government, and dispensation of its patronage—we have seen him retire from the government, agreeing to an arrangement by which the member for Inverness took the guidance of affairs, his own party remaining in office—we have seen him provided for by a salary the highest in the gift of government, and yet not satisfied in the face of the country, he without provocation destroyed the administration on which his friends depended, attacking the leader of the government as an incompetent crown officer, and finally placing his party in a powerless parliamentary minority, putting their opponents in office. Notwithstanding all this,

scarcely one of his old party but stands by him, and although power is wrested from him and them, they are ready to cheer him to the echo.— This presents one of the most remarkable instances of a man, through all circumstances retaining his hold on the people, that perhaps ever existed. Had my friend, the hon. Attorney General, been guilty of such want of statesmanship, would he not be execrated by every conservative in the country? Yet the member for Windsor, through all the misfortune to his friends occasioned by his own selfishness, retains his popularity. It is the more remarkable that that support is given, regardless not only of his abandonment of former principles, but of his openly avowed attempt to destroy those principles themselves.

In reference to a remark of the member for Halifax, respecting the closing of the offices for a Prince of the Royal family only, did he not see the public offices closed when Lady Harvev died, and she was not a Princess? They were closed by proclamation then. (Mr. Annand—Lady Harvie was the wife of the Queen's representative. Provincial Secretary continued.) Yes, but she was not a Princess. When Mr. Jeffery died, the same mark of respect was paid, and I doubt not the hon. gentleman opposite would not object to have them closed, in order that such respect should be paid to me to-morrow.

The story of Sheriff McLean has been already noticed, and the papers are not yet here. Whether right or wrong, the Chief Justice would not sign the list with the name on it. How then, under the law which the member for Windsor put on the statute book, could Cumberland be provided with a Sheriff for the year? Any one of the committee who had to revise the list, by refusing, would cause another name to be taken. I did not throw the blame or responsibility on the Chief Justice, but said that he took the same view of the case that the committee of council held, and that therefore, under the law as it exists, Mr. McLean must either be superseded or there would have been no Sheriff for Cumberland this year.

#### THE BUDGET.

On Friday the 18th February, the Hon. Financial Secretary submitted his Budget to the Assembly, with the following statements:—

HON. FINANCIAL SECRETARY said.— Mr Speaker, by command of His Excellency, I rise for the purpose of laying on the table of the house, a number of papers exhibiting the state of the Trade of the Province, in the year 1858—the state of the Revenue, and the services from which it is derived, with other statistical information, which I hope will prove satisfactory to the house and the country.

The first document to which I shall ask the attention of the house is the Trade Returns for the year 1858. It will be remembered that by consent of the house, I made a change in the time of ending the statistical year. Formerly the trade returns were made up to the 31st December, a course which I found very inconvenient, inasmuch as it gave too little time to prepare and correct the statistical returns before the meeting of the Legislature. By the new arrangement I have been enabled to place in the hands of every member, at the opening of the session, a printed

copy of the trade returns, whereas by the former arrangement, no member could get a copy of them until the Journals of the house were printed, which was nearly six months after the session closed, in which they were presented.

The comparative statements in this book, on account of the change, had to be made between the years 1856 and 1858. Next year the change will be completed, and the comparative statements will be made with the year previous to the date of the returns. The members of this house are no doubt aware how difficult it is to obtain such a statement of the trade of the country as one would wish. These returns are made up from the returns of our collectors of colonial duties, and any one acquainted with the trade of the country, must be aware that many articles are brought into the country of which there is no account taken. The same thing takes place with articles exported, and such will continue to be the case until we can afford to have a more correct system of obtaining statistical information.

By reference to this document it will appear that in 1856 the value of imports amounted to £1,869,832, while in 1858 we only exported in value £1,615,118, shewing a decrease of £254,714 in the year 1858.

The value of articles exported in 1856 was £1,372,958, and in 1858 the value of articles exported was £1,264,298, shewing a decrease of exports in 1858 amounting to £108,660. This deficiency in imports and exports, as I before remarked, must be considered in connection with the value of articles imported and exported as the comparative statements are based on the value.

The exports in 1856 amounted to £1,372,958, in 1858 to only £1,264,298, being a decrease in 1858 of £108,660. It will be perceived that the decrease has been occasioned in the exports by the stagnation of trade, and a falling off of some of our productions. On butter over £5000; on furs over £6000; on horn cattle over £8000; on mackerel over £61,000; on staves and hoops over £8000. On some articles we have increased our exports; on potatoes and vegetables the increased export in 1858 over 1856 is near £40,000. On a careful consideration of the whole subject, it will appear that the exports have not fallen off so largely on our own productions, as at the first blush might appear, and I have made this explanation to prevent misapprehension.

The table showing the number and tonnage of vessels entered inward, makes the tonnage inward in 1858, 568,880 tons; in 1856 it was 605,301, exhibiting a decrease in 1858 of 36,421 tons.

In the year 1858, the tonnage of vessels outwards, was 579,79 tons; in the year 1856, the tonnage outwards, was 564,005 tons, giving an increase in 1858 of 15,574 tons. It will be seen however, that many of the vessels cleared in ballast.

In the year 1858, the tonnage of vessels owned in the Province amounted to 185,080 tons. In the year 1857, 142,945 tons; increase of tonnage in 1858 over 1857 42,135 tons. In 1857 of new vessels, the number of new vessels built, was 148, in tonnage amounting to 23,548 tons, and in value £219,525. In 1858, the number was 151, the tonnage 16,366, being 7182 tons less than the amount in 1857, and the value £151,580; being £67,946 less than in 1857.



I now call the attention of the house to the general abstract of the returns of import and excise duties collected at the different ports of the Province, for the year ending 31st December, 1858, the whole amount collected is £107,934. 10s. 5d. in the year 1857, the duties collected amounted to £111,884 13s. 8d., which shews a decrease of £3950 3s. 3d.

The next statement is an abstract of articles, imported into the Province during the year, on which duties have been paid. It is made out more at large than those formerly submitted, it shews the number of gallons, pounds, hundred weight, &c., of all dutiable articles imported; this document balances with the foregoing statement, and shews the revenue to be £107,934, sterling.

The next paper is a comparative statement, exhibiting the increase and decrease of the amount of excise duties collected in the different ports, in the years 1857 and 1858; this will show an increase in some ports, and a decrease in others, but the result shows a general decrease of £3950 3s. 3d., proving the correctness of the general abstract.

Number 4 is a comparative statement of articles imported into the Province, and of the amount of excise duties collected thereon, for the years 1857 and 1858. It is a statement of all the articles on which duty is collected, and the amounts they severally yield; this statement shows an increase on some articles in 1858 over 1857, on others a large decrease, the 10 per cents have decreased this year £11,103 8s. 4., owing to the importations being less, however, we may fairly hope that the revenue of 1859 will show a better margin on the 10 per cents and some other articles. The duty on rum has fallen off £741,—on molasses there is an increase of £3175,—on sugar £1283.

No. 5 shows the quantities of articles subject to duties imported in 1857 and 1858, and discloses the same result; but goes further and gives the articles.

The next in order is a comparative statement of the gross amount of light duties collected at the different ports of the province for the years 1857 and 1858. In this department there has been a falling off in 1858 of £588 8s. 11. My only wonder is that the deficiency is not a larger amount. This statement shows a decrease in North Sydney of £162; in the Gut of Canso, £290. In Cape Canso there is an increase of £161, while Pictou shows a decrease of £395. The whole amount collected amounts to £5697, which enables us to support a great number of the light houses on our coast. I am aware that hon. gentlemen think that no duty should be collected; but when we reflect that our charges are so very moderate, and the importance of the service, I cannot think it would be right to make any alteration. We charge only 6d. per ton on vessels, while Newfoundland imposes a duty of 1s. sterling on all tonnage entering there.

I will now place on the table the account current of the hon. Receiver General, of all monies received into and paid from the Provincial Treasury, and with it a detailed statement certified by the Financial Secretary, shewing the amount paid during the year on account of the different public services. I need hardly say to the house that the hon. Receiver General's account current and the certified statement will be found correct.

Mr. Speaker, I now hold in my hand a new

Tariff, which I have prepared with much care, and I now submit it for the consideration of the house. At present we collect the most of our duties in sterling, indeed the greater part of them are so collected; but we collect light duty coal duty, and from distilleries, in currency. The collection of most of our duty in sterling, in many of the outports, is very inconvenient and troublesome, inducing the necessity of sending the quarterly return in many instances back for correction, and causing labor and delay in my department, where all revenue accounts are audited. Now, sir, I first propose to change our duties from sterling to currency; to effect this in some instances, where fractional parts of money would render the result of such change troublesome, I have not hesitated, and have made the duty a sum easily calculated—sometimes adding an  $\frac{1}{2}$  or 1-16, and sometimes deducting in the same way. On a few articles I have placed an additional duty, or rather I may say increased the duty. I have lowered the duty on molasses, for two reasons, one is, that it is chiefly used by people anything but rich, and if gentlemen will refer to the New Brunswick tariff, there is no duty placed on molasses in that Province. As I have placed this document on the table of the house, I shall not particularize the small changes made, feeling convinced that the good sense of the house will perceive the propriety of not offering any opposition to a change which I know will be well received by merchants and traders,—and I flatter myself ought not to be unacceptable to gentlemen who expect money for roads and bridges.

Mr. Speaker, I ask that the trade returns presented to-day be referred to the committee on trade and manufactures.

The revenue returns just submitted I now move be sent to the committee on public accounts; and the tariff, as amended, to the committee on trade.

Having disposed for the present of the papers submitted, it becomes my duty now, sir, to present to the house a much more important paper—the estimates for the present year, which I shall proceed to explain, and I ask the attention of the house while I do so.

ESTIMATE FOR 1859.

Balance in the hands of the Receiver General 31st December, 1858.....	£1223 2 5
Due from Collectors of Colonial Duties.....	6795 0 0
Casual Revenue.....	5000 0 0
Canada, New Brunswick, P. E. Is-land, for Lights.....	1324 0 0
Counties for advances for Road Service.....	1049 0 0
	<hr/>
	£15391 2 5

PROBABLE RECEIPTS.

From Collector of Excise at	
Halifax.....	122000 0 0
Collectors of Excise at Outports.....	25000 0 0
Collectors Light Duty.....	6697 0 0
Casual Revenue.....	10750 0 0
Distilleries.....	30952 0 0
	<hr/>
	175399 0 0
	<hr/>
	190799 2 5
Deduct undrawn monies for	
Roads and Bridges.....	992 19 7
Doitto for other services.....	33308 0 0
Railway land damages deposited in Treasury.....	1852 8 10
	<hr/>
	39653 8 5
	<hr/>
	£154136 14 0

Brought forward.....	£154136 14 0
Deduct ordinary and legislative appropriations, viz. :—	
Salaries of Lieut. Governor and public Officers.....	15740 0 0
Legislative expenses.....	10000 0 0
Revenue Department at Halifax	
Salaries of Outpost Collectors, and Commissions.....	10437 0 0
General Education.....	18000 0 0
Interest on funded debt.....	4968 0 0
Do to be provided for railway bonds.....	56000 0 0
Support of Light Houses.....	9000 0 0
Do. Sable Island.....	400 0 0
Provincial Penitentiary.....	1000 0 0
Public Buildings.....	800 0 0
Poor Asylum.....	2050 0 0
Rations to Troops.....	50 0 0
Transient Paupers.....	300 0 0
Halifax Dispensary.....	50 0 0
Indians.....	400 0 0
Post communication.....	600 0 0
Drawbacks.....	350 0 0
Packets and Ferries.....	1300 0 0
Road compensation £500	
Casualties.....	1000 } 1500 0 0
Board of Works.....	15000 0 0
Miscellaneous.....	3000 0 0
	159495 0 0

The estimate read to the house is a statement of amount of money in the Receiver General's hands at the close of the year 1858, also sums of money due on revenue of that year, but not paid into the treasury until after the accounts of the year are closed, and the probable receipts, or the amount we hope to receive, during the year 1859. These added together makes an amount from which all the liabilities for the year 1859 are to be paid. But in order to be better understood, I shall take up the estimate and explain as clearly as I can the nature of the services I have to provide for, and the sources from which I hope to derive a revenue to meet the demands of the current year.

First, we have a balance in the Treasury of £1223 2s. 5d., as shewn by the Treasurer's account current; the balance due by collectors of Colonial duty, £6795. This amount, belonging, as it does, to the revenue of 1858, is not received from the outports until some time in January; but as it properly belongs to revenue of 1858, it must be added to the balance the Treasurer states to be in the chest at the close of the year. Casual revenue, £5000. This sum is revenue derived from the Coal Mines in the hands of the Mining Association, and generally paid on the first of January, belonging, as I said before, to the revenues of 1858. It must also be added. Canada, New Brunswick and P. E. Island, for lights £1324, stand in the same relation to 1858. I also add the amount due from counties for road service, £1049, advanced to them to repair casualties. The above amounts, added together, make £15391. Now, this amount belongs to the revenue of 1858, as I before stated, and is now most of it in the Treasury. Were it possible to collect it before the end of the year, the Treasurer's account would have shewn a balance on hand at the close of the year 1858 of £15391.

The probable receipts for the year 1859 are as follows: From collector of excise at Halifax, £122,000; collectors of excise outports, £25,000; collector of light duty, £6697; casual revenue, composed of coal duty, fees Provincial offices, crown lands sold, &c., £10,750; distilleries, £10,952. These sums added together make

£175,399, which, when added to the £15,391 2s. 5d., show an amount of £190,790 2s. 5d.

From this amount must be deducted the following amounts, owed by the province for services granted in 1858, and which remained due at the close of the year, many of which have since been paid; but as I had to bring forward all revenue unpaid at the close of the year, so must I deduct all sums due, with which the revenue of 1858 is lawfully chargeable:

First then must be deducted undrawn monies for roads and bridges, say £992 19s. 7; for other services, £33,808; in this last sum is included grants to steamboats, packets, and ferries, £1100; salaries chargeable in the revenue of 1858, £3966 10s.; education, £1098 15s. 3; revenue expenses, £4284 12s. 9d; Agriculture, £315; navigation securities, £1460 10s. 7d.; in this is included grants of 1857 and 1858, for breakwaters; public printing, £15 6s. 4d; miscellaneous, £21,557; in this is included all sums for services not coming under any particular head, but being grants of the Legislature in 1858; and £20,000 of interest, due at the end of the year to Baring & Brothers, because although I provided for sufficient interest in the estimates for 1858, having paid the loan for roads and bridges out of general revenue, instead of borrowing, as the house authorized the government to do, the sum last named must be deducted from the probable receipts of 1859.

Also, for Railway land damages, £1852 8s. 10d. This amount was collected in the county of Halifax, and ordered to be paid to the Provincial treasurer. All these amounts added together come to £36,653 8s. 5d; to be deducted from £190,790 2s. 5d., leaving a balance of £154,136 14s., to meet the appropriation of the year 1859. It must be borne in mind, Mr. Speaker, that this statement is not an account; it is made up for the purpose of enabling members to see the liability of the province for the present year, and the sources from which they may hope to derive revenue.

Against this sum of £154,136 14s. 0d., stand the ordinary and Legislative appropriations, viz: Salaries of Lieut. Governor and public offices, £15,740. Legislative expenses, £10,000, if the session is a short one, as I trust it will be, this amount may be somewhat reduced.

Revenue department at Halifax, and the salaries of outpost Collectors and Commission, £10,437. General education, £18,000. Interest on funded debt, £4968; this is due to depositors of money on the Savings' Bank.

Interest to be provided for Railway bonds, for the year 1859, £56,000. I may remind the house that this large amount must be paid January 1st, 1860. Support of Light Houses, £9,000; our Light House services cost more in 1858, but I think the amount I have named will be sufficient for this year. Sable Island, £400; the British Government gives a like sum to assist to keep up the establishment on the Island, and I wish it to appear, that we provide an equal sum. Provincial Penitentiary, £1000. I have provided this amount to meet the expense of keeping that establishment for the year, and of course if the house wish any extension of cells in the building, they must provide for it in some other way, our revenue will not allow me to provide for them in the estimates. Public buildings, £800. Poor Asylum, £2050, this institution will require this

MONDAY, February 14.

WANT OF CONFIDENCE.

HON ATTORNEY GENERAL said he would pursue the course he had adopted at the commencement of the debate, and avoid, as much as possible, irrelevant observations. He had charged the learned introducer of the amendment with having made a mistake at the outset, in seeking the judgment of the House on subjects concerning which the necessary information was wanting, and now that the debate was at its close it was obvious that the charge was well founded.

The learned member for Inverness had forced upon the consideration of the House a variety of matters, a few of these the House was in a position to consider, but they had already during the last session been fully debated, and, therefore their introduction now was unnecessary. The greater portion of the subjects he had brought into discussion, however, were presented prematurely, because the papers connected with them not being before the house, it was in no position to deal with them.

A great deal of the time of the house, at a large cost to the Province, had been wasted; and what was more, the confidence of the people was abused by unfounded statements being made in debate, in the absence of the papers that would contradict them.

This was the more inexcusable, because there was admitted not to exist the legitimate reason for a vote of want of confidence—the expectation of changing the government by its success—for it had already been conceded that no such expectation existed.

As a necessary consequence of the conduct pursued by the opposition, the government had been forced to meet and confute their mis-statements in many cases, and to refer to papers not before the house; and questions had been thus imperfectly discussed, which must again come under review. The Attorney General referred to the dismissal of Mr McCully, Mr Forman, and Mr McLean; the sale of Railway bonds; the delegation; the Railway management; and the resignation of the Solicitor General; and he asked if the gentlemen opposite were not justly chargeable with having wasted the time of the House, and squandered the money of the people in a useless debate of nine or ten days, which could not be justified by any legitimate object or parliamentary usage.

The Attorney General said it was not his intention to do more than refer briefly to such of the statements that had been made on the other side, as seemed to require observation. Many assertions had been made in relation to himself, either unfounded or distorted, of which he should take no further notice, except where others than himself might be affected by them.

The member for Windsor had charged the government with having been guilty of wholesale dismissals. The charge was unfounded. The government had pursued a different course—much to the dissatisfaction of their friends in all parts of the country. At this moment the only real trouble the Attorney General has with his constituents is—not the Protestant Alliance—not the Prohibitory Liquor Law—but that he cannot violate the principles the government has laid down of not dismissing officers, except on proof of misconduct.

amount to sustain it, and I may add that it affords shelter and relief to the unfortunate and distressed, and must be supported. Rations to Troops, £50; this sum is to provide for the passage of Troops marching through the Province, and has to be provided for out of our provincial funds. Now that the Troops are withdrawn from the outposts, I think the revenue ought not to be chargeable with it. Transient paupers, £300. Gentlemen are too well aware of the nature of this service to require any further explanation. Halifax Dispensary, £50. Relief to Indians, £400. Post communication, £6,000; this sum is to defray the deficiency in the Post office revenue; at present this department has to pay for the service of a steamer from Windsor to St. John for the accommodation of passengers travelling on the railroad. Drawback on goods, exported from Warehouse, £3500. Packets and ferries throughout the province, £1300. Road compensation, £509. Casualties, £1000. Board of Works, £15,000; in this amount is included the Isle of Sables expenses, and the balance due by the Board of Works for the Asylum for the Insane, and I trust that no further expenditure will be made in erecting buildings this year, unless the house can provide in some other way to pay them; our revenue cannot longer be taxed as it has been by that institution. Miscellaneous, £3000; this comprises a number of small services too tedious to enumerate. All the above amounts added make the sum of £159,495, which, when compared with our available assets leaves a balance of proposed expenditure over revenue of £5359 6s. Now supposing we are fortunate enough to collect as large a revenue as I have anticipated, and expend no more money than I have put down in the estimates, we will be in debt at the close of the year 1859 over £5000. This may startle the house, but with care and strict economy we have no cause of alarm. I have much pleasure in stating to the house, that although we have experienced our full share of commercial depression, every demand against the province has been promptly met and paid. Our credit stands at this moment good in England, and unimpaired at home, and we may confidently hope in a year or two, supposing our revenue to increase in the same ratio for a few years to come, as it has in the years past, that the clouds that have overshadowed us will pass away, and that the province will reap the reward of the large expenditures on our public works, which all are aware at the present time bear heavily on our revenue.—And I call upon the house, gentlemen on both sides, not to press any money votes, but such as are absolutely necessary for the public service, and thereby sustain our character and credit. As I have provided for the £25,000 voted last year for our roads and bridges, I shall ask authority from the house to borrow a sum sufficient for the road service this year; after that I trust we will be able to provide for this service without borrowing.

Mr. Speaker, I now make the usual motion. That a supply be granted to her Majesty, and that on Wednesday next, 23rd, we go into committee of supply for that purpose. Having explained as briefly as possible the estimates submitted, I shall be happy to give any further explanation as the house or any member may require.

As regards Mr. Forman, I shall only repeat that if any gentleman opposite shall see fit to call for the papers, and found a motion on them, I shall be prepared to take up Mr. Forman's management from the commencement, and to sustain by the clearest evidence, that he has exhibited throughout a want of capacity and experience in his railway operations, and an utter disregard for truth in his charges against the government. I deny that his dismissal was immediately followed by injurious attacks; nothing was published to his prejudice until the organ of the opposition had made his removal the subject of gross aspersion. In relation to his removal of the books, he was dealt with most leniently; had the government chosen to adopt measures of a more severe nature than they did, he would have been placed in a position still more damaging to his reputation.

The mis-statement respecting Mr Laurie as regards the line near Truro, lately damaged by the freshet, has been refuted by my friend the Provincial Secretary, and in a way to exhibit Mr Forman's incapacity, as the opposition will find to be the result of every attempt to make capital out of that gentleman.

An hon member (Mr McDonald) has ventured an insinuation against Mr Laurie. I ask if he is prepared to prove it; or to take the consequences which attach to false accusations: or does that learned gentleman think that while falsehood outside this house stamp a man with disgrace, here slanders may be uttered with impunity? He led the House to believe that Mr Laurie had located a part of the St Andrew's Railway so injudiciously that more competent engineers were called in to rectify the blunder. Had the learned member taken the pains to enquire, as his duty to this house and himself required, I believe he would have found that the reverse of his statement was the truth, and that the railway location having become embarrassed, Mr Laurie was sent for and extricated it from its difficulty.

Mr McCully's dismissal has been alluded to. Are gentlemen aware that the reasons of his dismissal were furnished to that gentleman and when he published a long and violent letter of complaint, he had not the candor to publish the minute of council, with a copy of which he had been furnished.

In his letter, in the recency of the transaction, he did not venture to deny the expressions imputed to him in the Minute of Council, and yet now he puts forth a singular publication, attempting to give the go-bye—rather than to deny the charge, and bolsters it with the certificate of several gentlemen—to make an impression on the country, before the reasons of his dismissal can be laid on the table of this house.

So of Mr. McLean's case. Nothing should have been said until the papers were before the house. It was my intention when I answered the speech which introduced the amendment to avoid going into the merits of McLean's case altogether, but the reporter misapprehended me.

I am made to say that the judges acquiesced in Mr McLean's dismissal. Such was not my meaning. The member for Inverness had said that the officer had been dismissed on paltry excuses, and I reminded him of the law by which the sheriff could not be dismissed without the

concurrence of the Chief Justice, and I asked whether he thought that concurrence would be given, for paltry reasons? I did not intend to deal with the subject further at that time because it was premature.

The hon member for Windsor thought that Mr. McLean should not have been dismissed until the truth of the evidence had been settled by trial at law. He had heard that the Chief Justice had formed his opinion, over which the Government had no control. How could any judicial enquiry take place, holding in suspense the appointment of a sheriff for Cumberland? If not dismissed, he must be reinstated; and the only judicial decision that could be given on the subject, must be immediate, or the county of Cumberland would be without a sheriff for a year. As the law now stands the four members of the committee, two judges and two members of government are required to make the decision, and unless they concur no sheriff is appointed for any county.

It has been said that the *Christian Messenger* is under my control. It is right for me to contradict this statement, as it affects others. The *Christian Messenger* is under the control, and in the interest of private parties, with whom, as such, I no concern in any form. The statement made might prejudice those persons, and there is no foundation for it. I have not only not written, but for years I have not influenced an opinion which has appeared in that paper, whether political, literary, or religious, and I may say that I use about as little influence over the *Messenger* as regards what appears in its columns as over any paper in Nova Scotia.

I come now to the Prohibitory law: I find many statements made on this subject, of which I have no knowledge and do not even know to what they refer. Among the friends of Temperance in the country are men whom I hold in the highest respect and esteem; men who are acting on the noblest principles, in all sincerity of purpose, but I am sorry to know that there are others of a character altogether opposite. I have heard it said several times that I had remarked that the bill should be sent to get "an airing." I know not what is referred to; but am persuaded that the expression never came from my lips, it never did. (Oh! from the Opposition bench) If such an expression ever proceeded from me, of which I have not the remotest recollection, it must have been under circumstances to divest it of anything like disrespect either to the measure or the sincere friends who advocate it. I say this because I regret that men whom I respect, belonging to the Temperance body, should suppose that I ever made use of any expression indicating disregard to their feelings or the deep importance of the measure. The member for Colechester has given us a reason why that bill was dealt with as it was in 1856. He says that a member of the House, the Financial Secretary, when the bill was carried, asked the leader of the government whether he intended to resign, and that that act gave a party complexion to the measure, and destroyed the moral influence of the bill, and induced the conduct which took place. The member for Windsor gives a different version, saying the reason was, that Mr McFarlane refused to support the motion to

rescind, although he had voted against the bill. These statements are at variance. The reporter has misapprehended what I said on a former day. I said that I did not support the bill in 1858, because the action in 1856 in this house practically destroyed the power of the house to pass such a law, by taking from it all moral influence, and therefore I considered it would be injurious, not beneficial to temperance to pass the bill in 1858, when, if passed, it would command no respect from the country. The member for Windsor, referred my action on the temperance movement to political objects; he is mistaken. I never used the temperance question as a source of political influence; on the contrary I even sedulously strove to prevent it from being so debased. He said the bill was left by me to drift hither and thither; he is mistaken again. In 1856 I did not take the conduct of it, as the member for Colchester is well aware, although I was prepared to and did sustain it to the best of my ability. I did not take charge of it, because I felt that under the circumstances of the preceding election, it would be injurious to the bill, as it would also be to the feelings of some of my supporters in Annapolis, justly offended with their disingenuous conduct of the professors of temperance on the liberal side, at the election of Mr. Whitman and myself. At my recommendation it was offered to the member for Colchester; he declined, and eventually it was put into other hands.

I now turn attention for a few moments to the course pursued by the House in reference to the Prohibitory bill, in 1856. On the 19th of March the bill passed a second reading, by a majority of 27 to 21, Mr McFarlane voting against it, and stating as the reason that he desired the bill to stand over until the experiment should be tried in New Brunswick. On the following day, the 20th, on notice to rescind, the bill was again sustained, Mr McFarlane voting against the proposition to rescind, and giving as his reason, that the house having expressed its opinion by a considerable majority, he did not feel justified in opposing the measure. But who did not vote on that occasion? The member for Newport (Mr Chambers), and Dr Webster, and Mr Chipman. They were not present at the division to rescind; and the circumstance was suspicious as no member is ever absent on a motion to rescind an act in which he takes an interest. They were absent not for the reason assigned by the member for Windsor, for they did not know how Mr McFarlane intended to vote on the motion to rescind; neither can we accept the reason given by the member for Colchester, for if they considered the moral influence of the bill destroyed by the Financial Secretary's alleged observation might they not be expected to be present to assign that reason? Immediately subsequent to the motion for rescinding, came that for committing the bill, which passed, when the majority was dwindled down to one, the division being 24 to 23, Mr Dimmock, who previously voted for the Bill now voting against it, so that the bill was carried on the 19th by six votes, and on the 20th three being absent, and one voting against it who had voted for it; all being supporters of the government, the majority was reduced to one. On the 20th the chairman of the committee on bills, reported, recommending the House to defer the bill till the experiment should be tested in New

Brunswick. Thus it appeared that the bill had met its fate in committee. How that was effected was made apparent, for on that day I moved that the report be not received, and on division 22 supported my motion and 28 voted against. Thus the bill was finally lost. What made the change between the 19th and the 26th March? The Journals answer the question:—Mr McKenzie, Dr Webster, Mr Chambers, Mr Chipman and Mr Parker voted against it, having voted for it before. When this took place I felt that the power of this house to deal with the question was gone. When it was presented in 1858 who were to support it? Could such a bill be carried by the members who had thus voted against it, after having supported it? The bill was not an end, but a means to an end. It was introduced for the purpose by its effective operation of suppressing intemperance. If it should really succeed it would be a great benefit,—if it failed it would lead to much mischief; and to no interest more than to the cause of temperance. Therefore to ask a house that had destroyed its power to effectively pass it, to carry the bill in 1858 was to ask it to inflict on temperance a great injury. None were left to pass the bill, except those who from their former action, had become incapable of doing so with the necessary effect. The member for Colchester has given a third reason. He said that they changed votes because they were told the bill would obstruct the government; would they change again in favour of the bill now? If they did change, for a third time, could the bill, under such circumstances, be sent to the country so as to command respect and challenge the confidence of the people? Surely not. When it came up in 1858, I acted as a public man ought to act. Believing that the house could not pass the bill so as to render it effectively operative, I felt it my duty to say that the house was incompetent to pass it; I might have voted for it, but it would have been disingenuous. The party complexion given to the question since the last session, and the use made of my vote has further weakened the standing of the cause, and crippled the power of the friends of Temperance. Mr Mr Howe shall succeed the present. As to the officers' wines vote, I may merely say that it is a very small question. So long as sale of liquor is authorized by law, we have to deal with minor questions, not in reference to the question of prohibition, but in relation to the existing state of things.

I allude to the governor's flag, for the purpose of expressing surprise at an observation of the learned member for Colchester, Mr Archibald, who said that he believed the statement made, yet he was reluctant to acknowledge the consequences that followed. Nothing would satisfy him but the dismissal of an unoffending domestic, and for what? To defend what interest? To protect what cause? Surely it is not requisite for the people of Nova Scotia to sustain their Protestantism, by the punishment of a poor man who acted without design.

It was intimated that the government shrank from admitting the facts as they existed, respecting the closing of the offices and put it on the clerks. That is incorrect. The explanation was given at the earliest opportunity; it has since been renewed in this house, and has been repeatedly referred to in the press. I gave the permis-

sion in the evening and early in the morning withdrew it. I withdrew it simply because no order had been given nor the Governor consulted.

Some extracts from a speech of mine, delivered in 1847, have been read by the member for the county of Halifax. He did the same last year, when I remarked that to do me justice he should have read a part omitted, and which materially influenced the meaning of what he read. He gives the same extract this year, and is it not strange that he still makes the same omission? Even as he read it, I might stand by the sentiment, as appropriate to the occasion.

I then opposed combination on religious principles, as applied to political rights. That sentiment I entertain now, and it affords legitimate reason why I condemn the combination, now sought to be effected at the other side. But to show my real position at the time, let the preceding part of my speech as published in the *Morning Chronicle*, be read, and it will be found so far as I in 1847, from wishing to carry out any exclusive principle, that office had been offered to Catholics and refused; and that I then maintained the opinions that I do now, that civil and political privileges should be held irrespective of denominational sentiments. (An extract was read to that effect by the Attorney General from the same speech from which Mr. Annand quoted.) That speech was made at the very time when the hon. member accuses me with having maintained principles inconsistent with the position I now maintain. Yet I was then but laying before the people the principles of civil and religious liberty, to which I now adhere. At that time too, a warm controversy was going on, between the Catholic and Protestant organs, on their religious views, and strong language was used on each side. Each sustained its own views with zeal and ability, but with more acrimony than I pretend to justify, or did justify at the time. I did not interfere on that occasion until it became a dispute from which I could not escape with honor, and then it was that I dealt with the question in the only way consistent with my views of propriety. Lampons have been referred to, and bitter sarcasm, but they appeared with about equal severity on each side. But I ask where, at that time, and when the country was so circumstanced, were those whose Protestantism is now so loudly boasted of? We are told of the Protestantism of Colchester, Haats, and other places; did the Protestant Liberals of those counties, then, resent the attacks made from the Catholic press? No, sir! no such zeal for religion as is now proclaimed animated their bosoms then. No, sir; then they courted and received the support of the Catholics, and were content to pay the price of their subservency.—Their press of that day strangely contrasted with their press now. Then they proclaimed it a wicked thing to set Protestant against Catholic; now how changed. Then by the aid of Catholics they obtained office, and by the same aid they held it for ten years; and it is asking rather too much of the people to expect credit for assuming so different a position now. Now, when without provocation, and when no such occasion exists as did in 1847, they denounce Catholics as a body against whom Protestants are religiously bound politically to combine. The member for Windsor said that he was proscribed by the Catholics in his quarrel with them, and he assigns that as an

explanation of his conduct; but if it were as he says, does that afford a reason why Nova Scotia should be convulsed, and why Protestants should be called to combine? Does it give an excuse for the position now occupied by the party which supports him? I think not. He does not seem to realize the various positions he has occupied. Were we to take his own statement, he would appear as always an injured man, sinned against, but not sinning. At one period the Church of England looked at him with aversion; he provoked it not. He was then deserted; it appears, by his former Baptist supporters; still no fault on his part, and now we find him at odds with another portion of his former friends, the Catholics, and again he gave no provocation. Why, sir, do we not all know that the quarrel proceeded from himself?

The hon. member for Windsor disclaims all idea of proscription, but asserts that the power of the Catholics in this country should be curtailed. I wait with some curiosity to know how he intends to restrict their power without proscribing them. Neither in a political or religious point of view do the Catholics of Nova Scotia exercise or enjoy privileges which their Protestant brethren do not possess. But he says that the Catholics must be first punished before pardon can be accorded. Punished, sir! For what punished? Because forsooth the hon. member for Windsor saw fit to quarrel with them.

But I ask how are they to be punished? The hon. member for Windsor says—not by proscription. Why, sir, the very idea of punishment involves some injury. How, I ask again, are the Catholics to be punished? In their persons? That cannot be his idea. In their property? surely not. In their political rights? but they now enjoy no greater privileges than their Protestant fellow subjects, and how then can they be punished without robbing them of some just privilege, without divesting them of some right which they now exercise in common with all other inhabitants of this Province. Thus, sir, the very idea of punishment involves proscription. From the hon. and learned member for Liverpool the argument came with still less propriety. He says that the Catholic body must be put down—their power controlled—their influence crippled. Who gave him the power to move that resolution here? By what authority does he hold his position and open his mouth in this house? Catholics gave him the power; he makes the bold assertion as the representative of the Catholics of Liverpool—and before making such a declaration was it not his duty to have dissolved that connection and surrendered the trust they reposed in him?—not for that purpose surely.

By curtailing the power of the Catholics can only be meant to place them in a position subordinate and dependant. Why should they be so situated? The Catholics in this Province have been heretofore supporters of the Liberal party—those who now assail them have in years past showered panegyrics upon them, and held them up to the admiration of the people, as a most independent and valuable body of our fellow countrymen. Sir, have we anything to fear from their influence? I have always understood that it was the boast of Protestantism that all it required to effect its objects was free, unrestrained discussion. The pulpit, the platform, the press, are now free and open. Surely with these agents

Protestants may be content.—surely no combination can be requisite to deprive Catholics of their just and legitimate privileges, for the purpose of saving the interests of Protestantism.

Now, sir, in conclusion, let me say that this amendment and the discussion on it have been entirely premature and unnecessary. We have been directed to the consideration of questions upon which the information essential to the formation of a just and accurate opinion was not and is not before the house. The statements made by hon. gentlemen, instead of being founded on anything like fact, or deducible from argument sustained by proof, are but the creatures of their own imaginations, which will, the moment the light of truth is thrown on them, dissipate and disperse like the morning mist before the sun. I am, under these circumstances, glad to learn that this debate is drawing to a conclusion, and that we shall be permitted to enter upon and perform the actual business of the country, from engaging in which we have been so long retarded.

Hon. Mr. Young said:—In closing this debate Mr. Speaker, it is my intention to address myself to the calm and deliberate judgment of the house—to avoid all needless repetitions, and to abstain from drawing into the debate a single argument which does not pertinently relate to the questions under discussion. Sir, I intend to submit issues of the greatest moment and importance to this Province—and to ask of those who represent the constituencies of our common country, a deliberate consideration of the facts as they now present themselves to us for our consideration. I have no right to assume that a majority is to be found in this house stereotyped and immovable—determined at all hazards and under every condition of things to support the government and vote down all opposition. Sir, before I close this address I shall produce a body of new, and to my own mind, conclusive facts, so penetrating and clear, that I hardly think any majority can be found to resist the conviction to which they inevitably lead.

The hon. Mr. Johnston, the Attorney General, speaks of combinations. Sir, he forgets that a most singular combination—unprecedented in England or the colonial dependencies—which this house exhibited when the Catholic members crossed the floors in a body, forsook their old friends, and allied themselves with the Attorney General and his followers—creating the present unnatural combination. The natural feelings which arose in the bosoms of the liberal party, who fought the constitutional battles of Catholic and Protestant alike for years, have diffused themselves over the whole province, and at last a spirit has been aroused and everywhere prevails—a flame has been kindled far and wide, which will grow in intensity and fervor, until a lesson has been taught that body which they will never forget—and the principles we hold, and the dignity and purity of our common Protestantism be successfully vindicated and asserted. But let me first distinguish what is really before us in this debate.

Do I ask this house to condemn the last delegation—to pronounce for or against a federal or Legislative union of the Colonies—to oppose or sustain the propriety of pledging the resources of this country for an Intercolonial Railroad? No; upon these topics information has yet to be submitted, and we are in no condition to decide.

But, sir, I had a right by Parliamentary usage to invite this house to discuss the policy of the government by the present amendment, upon facts patent to all the world, and on which no documents to be submitted will shed one ray of light.

Dr. Tupper, the Provincial Secretary, says that certain significant hints were given to myself. If so, they were entirely thrown away; and I may inform him, and I do not in the least degree shrink from the avowal, that I assume the entire responsibility attached to this motion. When I moved it, I thought, and still think, that the proper time had arrived for such a discussion. According to him, the opposition offer factious obstruction to the measures of government. But let me ask where are the measures to which he referred? The Executive have now been two years in power, and but one, the Elective Legislative Council Bill, has been proposed by them. Was there anything factious in the action of the opposition with reference to that bill? Do we not well know that the administration was defeated on that question by its own adherents—that their difficulties arose from dissension in their own camp? If the supporters of the government had been united the bill would have passed. It is in vain, then, for the Provincial Secretary to impute its defeat to any action of ours. Where are these great measures of which he boasted? Sir, turn to the Statute book of '57 and '58, it is a blank, a perfect waste, unredeemed by a single act the percentage of which the government can claim. It is not true, then, that the factious conduct of members on this side has prevented the passage of any one measure which might have proved useful or beneficial to the country. Sir, had such been propounded, and the opposition banded themselves together, as the opposition did three or four years ago, to embarrass the provincial finances, and destroy the public credit, then might the reproach of the Provincial Secretary have been well deserved.

I do not see the Financial Secretary in his place. If present, I could confidently appeal to him, if I did not afford to the government my assistance and support, in raising a revenue to meet the exigencies of the country, and in guarding the public chest.

True, sir, another measure, the representation bill of last session, was faintly intimated, but scarcely was it laid on the table, before the government abandoned it. This strong government then presents to our admiring eyes the strange spectacle of but one measure submitted in the two years of its existence, and that one withdrawn.

A word or two on the famous liquor law bill, the misfortune of that measure was that there never was a majority of this house who really desired it; nor do I believe at any period in its history more than one third of this house was in its favor. The Attorney General betrayed his real feelings when he moved his famous cider clause,—from that instant I clearly saw that the animating spirit—the moral power—had been taken from the bill—that its vitality was gone. And I well recollect Mr. Speaker, the bold and manly opposition that you yourself gave to the introduction of that clause upon the ground that it was a dereliction of principle, and fatal to the measure.

In '56 great enthusiasm prevailed regarding

that bill, and it was carried in the house. The Provincial Secretary says that every conservative voted for it. But, sir, the supporters of the government also voted for it, otherwise it could not have been carried—they desired to give the friends of the measure a fair chance of testing its practicability and effect; but the then opposition, not content with the assistance afforded them, attempted to convert the passage of the bill into a party triumph—almost immediately it was announced that the government were defeated—they were requested to resign, and a famous banquet was given by their opponents in honor of the occasion. Looking to the cider clause introduced by the Attorney General, and the subsequent action of himself and his friends, it became apparent that their object was not to accomplish a great moral reform, but only to effectuate a great party triumph—that they were not sincere in advocating the bill for its own sake, but only as a means of embarrassing or overthrowing the then administration. The majority for the bill perceived among their ranks some of the most noted *bon viants* in this house, and were ashamed of the company they had got into.—Hence they thought it wise to reverse their decision, and gained from their opponents a victory rendered worthless by the means that had been employed to attain it.

If however, sir, it be true, that the State of Maine, after having tried that law and repealed it, have again returned to it, it is not impossible that the tone of public opinion in this province may yet rise to the point of adopting it as the law of the land. A steady friend to the temperance movement I have always been, but have not yet been able to bring my mind to the conclusion that compulsory law is practicable or wise—short of that point, I have given to the temperance body a uniform support in this house.

Now, sir, let me turn your attention to the various dismissals, and first of all to the case of Mr. McCully, as Judge of Probate for Halifax. The justification for that arbitrary and high-handed act is contained in the following passage, which I shall quote to you from the celebrated minute of Council—

“At a large assemblage at the Sheriffs’ Court at Windsor on nomination day for the Election of a representative for Hants, where Mr. McCully attended to assist the candidate on the opposition interest, allusion was made—by way of charge against the Government to the case of James Kennedy.

“This person had been convicted at Windsor in the term of June 1857 for murder, and his sentence had been commuted for imprisonment in the Penitentiary on the report of the Judge who tried the cause,—that he and his brother Judge recommended a conditional pardon, substituting punishment for manslaughter, in place of the extreme penalty of death, on the ground of their doubts that the evidence did not sustain the charge of murder.

“Mr. McCully in a speech delivered on the hustings on that occasion said in reference to the case, that he hoped the day was not far distant when the people would have a Government that would dare to enforce the sentence of the law against a criminal.”

Now, sir, let us look to the speech of the Provincial Secretary, corrected by himself, and from which I take the following passage—

“The Judge of Probate for Halifax was not dismissed for political reasons, nor for going to an election, so far forgetting his position both as a judge and the station he occupied at the other end of the building, as to appear on the hustings to oppose the government in a county where he did not belong; but it was for conveying the impression, when called upon as a man and a lawyer to vindicate the Judges of the land from aspersions concerning the reprieve of a criminal, that he had not been executed because he was a Catholic.”

According to the speech Mr. McCully was dismissed, not for political reasons or for opposing the government, but for assailing the Judges, while in the minute of Council the attack is charged as made upon the government and not upon the Judges. It is clear then that there is a manifest inconsistency between the reasons assigned in the minute and those given in the speech, which are in fact an after thought. But suppose the reasons were as stated by the Provincial Secretary, the certificate which I shall presently read to you, conclusively shows that no such reference to the Judges was made by Mr. McCully as has been falsely imputed to him.

“The facts briefly are as follows: Allusion had been made to Kennedy’s case. They, the Government, had been charged with favoring him because he was a Roman Catholic, in so many words, by some of the speakers, on the occasion referred to, not by me. Dr. Tupper replied at large, and threw the *entire responsibility* of the manner in which Kennedy had been disposed of, upon the Judges of the Supreme Court, and turning to me, as I was seated on the platform listening to him, said, “He would appeal to me, his opponent, as a Lawyer and a man of honor,” adding, “that he felt sure I would not controvert his statement.” I had previously addressed the Electors; Dr. Tupper was replying. I then rose and said, that “while, indeed, it was true, as Dr. Tupper had stated, that the death punishment had been commuted at the recommendation of the Judges, yet *it was not true*, as he was striving to make them believe, that the nature and duration of Kennedy’s imprisonment was fixed by the Bench.”

J. McCULLY.

The undersigned having had this letter exhibited to us, being present on the occasion referred to, and having a very distinct recollection of what did occur, feel it our duty, and but an act of justice to all concerned, to add the *weight of our entire testimony* in corroboration of the foregoing statement of Mr. McCully

BENNETT SMITH,  
F. R. PARKER,  
WM. CHAMBERS,  
R. A. McHEFFEX,  
B. WIER.  
WM. ANNAND,  
JEREMIAH NORRISUP.

This certificate and the other documents clearly shew that while no charge was ever insinuated against Mr. McCully as a Judge, while his integrity and competency as such was admitted, he was dismissed for his opinions and fidelity to his party; and the government, under cover of the Judges, avenged themselves for his political action.

Let me now turn your attention to a case of infinitely more consequence to the people of this country. We are told that it is improper for us



to go into the transactions which have taken place between the government and that most injured man in his native country, Mr. James R. Forman. Every member of this house must entertain a fresh and vivid recollection of the occurrences which took place before the Railway Committee at the last session of the Legislature. The spectacle then exhibited was one of the most extraordinary ever presented to the people of this province or any other. On the one side were to be seen astute and zealous counsellors for the contractors,—all the resources of professional training were enlisted in their behalf on a question then supposed to involve the payment by this province of no less than £70,000; on the other side no efforts were made, no action taken. True, the Attorney General sometimes attended, but with an air of languid indifference, or of positive hostility; and I put it to him, would he have defended a client upon a simple civil suit involving one hundred pounds as he did the province when thousands depended on the issue? The report of the committee would have been sent in without one syllable said—without one voice raised in the advocacy of provincial interests, had not my hon. friend from Windsor interposed to throw some light on those extravagant claims. I assisted him occasionally, and as I sat there day after day and saw the course pursued, I must confess that my blood boiled with indignation and was often tempted to rise in my place and volunteer my services as counsel for the man thus ruthlessly abandoned by those whose duty it was to protect and aid him. Yet, unassisted as he was, so well did he acquit himself, that the counsel for the contractors in his closing speech withdrew all imputation on his integrity and personal character. You will bear in mind, sir, that Mr. Forman was Chief Engineer of the Railway till August, 1858, and had exerted himself, from the time he assumed that position, with unwearied diligence to fulfil his very onerous duties. He had no difficulty from 1854 to 1857, when the new government came into power, and the contractors felt themselves to be masters. His letter of 26th June, 1858, contained the following passage:—

“It is true that during the last year I have had many difficulties to contend with, into which I forbear from entering. The chief of these has been the insubordination and the position assumed by the contractors, who asserted a practical independence, and seemed to think that they would be upheld in disobeying both the Board and myself. In this I trust they are now undeceived, and if they are kept in their proper place, and the government give me the same generous and cordial support which I have always received both from the former and present Board, I have no reason to doubt that the Railway, which I am unwilling to abandon, will be successfully and vigorously prosecuted to its completion.”

His letter of 12th July he wound up in these terms:—

“In conclusion his Excellency, I trust, will permit me to say that I am extremely gratified by the assurance in the letter I am now replying to, of the cordial support of the Executive Government. My duties are at all times sufficiently arduous, but with the aid of that support, and more especially by a determination, while dealing justly and liberally with the contractors, to

hold them strictly to their engagements, I confidently trust that the object which his Excellency has so much at heart will be accomplished, and the line to Truro completed, and opened for traffic by the first of November next.”

On the 2nd of August, just before his dismissal he makes the following report; it will be recollected that the Railway Board were likewise urging on the Government the enforcement of the contracts:—

“The present mode of completing the Windsor branch contracts is far from satisfactory, and I take the liberty of calling attention to the desirableness of taking these works out of the hands of the contractors.

“Almost all the rolling stock used on this work is supplied by the Board, and notwithstanding this, the schedule rates are paid for earth work not nearly so costly as the average cost of excavations on the sections, and for which these rates were originally intended to apply, and as these payments are made in addition to the contract price, I am decidedly of opinion that it is for the interests of the Province, that these sections should be taken out of the contractors' hands and finished by the Board.”

Mr. Forman says only have this done, and the road will be opened by the first of November—but what was the fact? In the week ending 17th August, instead of 26,600 cubic yards of filling and cutting, which the contractors under their contracts were bound to perform, but 8,700 yards, or one-third the quantity were excavated or filled in.

Now, sir, let the house reflect on the transaction I am about to open up. On the 25th Aug. Mr. Forman was summararily dismissed—his position and means of living mercilessly destroyed—and next his reputation both as a man and an engineer was assailed. What are the facts as they appear in the printed correspondence:—on the 25th Mr Forman is dismissed,—on the 26th he takes to his home from his own office two books and certain papers containing the materials for his vindication—on the same day Mr. McNabby letter informs him that they are required for public purposes—on the 27th his counsel informs the government that Mr. Forman does not intend or desire to retain these books and papers, provided the Executive would give him a pledge that they should be open to his free inspection and perusal—on the 28th that offer is accepted, and on the 30th of August comes the final letter from myself, as his counsel, that the pledge which he required having been given, all the books and papers would be sent the next day, as promised on the 27th.

Now, sir, I put it to any man of honor, any man who respects the rights which appertain to and surround a public officer, whether he can vindicate the action of the government in publishing, on Tuesday, the 31st, in the organ of the administration, (avowed in this house to be under the surveillance and control of the Hon. Provincial Secretary,) the following most outrageous statement. Remember, sir, that the party attacked is a husband and the father of a family—the honored son of most respectable parents, who value his reputation dearer than his life—an Elder in the Presbyterian Church—and if my testimony may be added, a man of irreproachable virtue. Yet the *Colonist* of the 31st, written, as

I have not a doubt, by the Provincial Secretary, contained the following passage—

“The public will scarcely be prepared to learn that Mr. Forman has given since his removal from office proofs the most unequivocal of downright dishonesty, by purloining and abstracting documents and papers from the Railway office, which belong to the department, and are essential to carrying on the works with promptitude. Up to Saturday night we understand that Mr. McNab, the Chairman of the Board, although making the most determined efforts had been unsuccessful in effecting their recovery.

“Of course the obstructives, who daily show that in their hungry greed for office, they would like to see the Railway and Province sink together, will be delighted at any rascality by which the public works may be retarded.”

With this letter of Mr. McNab in his hand, the cruel, unfounded, unpardonable charge contained in that paragraph is written. Did the man who penned that paragraph recollect that Mr. Forman did not stand alone in the world—that he had a mother—that he had sisters and a wife, whose hearts would be wrung with agony when their eyes lighted on that infamous libel?

I ask the Attorney General does he vindicate this act, or will he have the manliness to denounce it? Is it not enough to dismiss a public officer on some mere pretence, but must it be taken as the established policy of this government, when depriving the victim of his office, to blast his character too, and to spare neither age nor sex, when the sacrifice is necessary, either for their ambition or their revenge.

The next charge which I have to prefer against this Government is of a yet more extraordinary and unprecedented character. I allude to the case of Mr. McLean. Had the government come down and openly avowed that they had dismissed McLean, because they needed his office for a political partizan, because they required the influence which the office gives to subserve party purposes and advance party interests, there would have been something of manliness and independence in their conduct. If they desired to appoint a more malleable and convenient sheriff—one who was willing to do what Mr. McLean would refuse to do at the coming election, why did they not avow it, as Sheriff McLean's conduct could not be assailed. Competent to his duties, honorable in their discharge, the government knew if character and conduct only were to be the criterion, he could not be dismissed.

A charge was necessary, a reason must be found to evict him from his office—in excuse for his immolation on the altar of executive vengeance. This must be had, and a charge was accordingly trumped up that the work might be done.

Now, sir, what is the charge? That he threatened to arrest a man at five o'clock, when the execution on which the arrest was to be made was not placed in his hands until seven o'clock the same day. You will perceive, sir, that the judgment was out-standing, and the debt was due—that no arrest was actually made—therefore the hour when the execution was put in McLean's hands is of but little consequence. But McLean and Mr. Clifford Morse the Attorney in the cause, both swear that at the hour when Hunter swears the arrest was

threatened, the execution had been actually taken out, and was in the hands of the sheriff. What answer is given to this? The Provincial Secretary in the face of this house and country has ventured to impute the crime of perjury to these two gentlemen. On what grounds, let me ask? Because the prothonotary of Cumberland, his own father-in-law has concluded from the fact that he had to light a candle to sign the execution, that the hour of issue was seven o'clock. Sir, I will not imitate the bad example of Dr. Tupper and charge Mr. Silas Morse with perjury—the circumstances may have escaped his recollection—he may have mistaken one paper for another. Mr. Clifford Morse's boy and the father of the boy corroborates the other two affidavits, and I could hardly ask could a man be found, is there any man of a sane mind, who would pronounce in favor of the one affidavit as the only one to be believed, and against the other three, which are positive and explicit, as acts of perjury. Yet on this monstrous proposition has McLean been dismissed and stigmatised.

The Attorney General said that the dismissal was made with the consent of the judges.

Hon ATTORNEY GENERAL—No!

Hon Mr YOUNG—Sir, I have some knowledge of the facts of this case, and I ask the hon Att'y General why he did not produce the letter of Mr. Justice Bliss, wherein his Lordship states that he did not and does not concur in the propriety or justice of Mr. McLean's dismissal? (hear,) why did he not state the concurrence of Judges Dodd and Wilkins with Judge Bliss? Sir, there has been a studied concealment of the facts both from this house and from the judges. The strong party feelings of the prothonotary, his signature to the petition against McLean were withheld from the Chief Justice, and the opportunity of vindication and a fair and manly trial denied to Mr. McLean.

I may be told that Judge Dodd signed the list of Sheriffs. True, sir, but do we not all know why he signed it. The law declares that two of the judges must concur in opinion, otherwise the Province would be left entirely without sheriffs. Judge Dodd signed that list to avert the disastrous consequences which, of necessity, would result from such a state of affairs. Sir, we well know the reason why McLean was victimised. The venerable Chief Justice did not. The affidavit made by the father-in-law of the Provincial Secretary was presented to the Chief Justice as that of a disinterested man, and as such would no doubt have weight in his decision, nor does the character which the Provincial Secretary has so justly earned in this house forbid the supposition that he urged on the judges the propriety of McLean's dismissal with insidious cant.

I must question, sir, the wisdom of referring to the conversation of the judges in their own private chamber; but since the Provincial Sec'y does set the example, may we not imagine him concealing his real purpose and enforcing the affidavit of Mr. Silas Morse, whose probity and truth, in the opinion of the hon Provincial Sec'y, are of course unquestionable, and on which he was not ashamed to adjudicate, though the character of his father-in-law was at stake.

Therefore, sir, I tell him that the judges did not concur in this most extraordinary and out-

rageous act; as soon would I suspect myself as McLean or Clifford Morse of perjury, and when the Provincial Secretary attempts to justify the government on that ground, I spurn the imputation with the indignation it merits. Nor do I believe that the supporters of the government are ready to swallow the dose. I see Mr Tobin, the honorable member for Halifax smile, well may he smile—his moral courage is such that there is nothing he would not swallow for his party, but I do not believe that 28 gentlemen in this house will band themselves together to justify and sustain so flagrant and unconstitutional an act as the dismissal of McLean. I see my hon friend from Amherst before me,—will he endorse it? will he consent to stamp the character of McLean, well known to him as unimpeachable, and pronounce upon his guilt, when the dearest privilege of an Briton, a open trial has been denied to him. Heaven help us, if this is to be received as a sample of Nova Scotia justice—McL an has lost an income, it is true, but his character is beyond the malice of his enemies, and his countrymen and friends will yet really avenge him.— And now, sir, let me ask the attention of the house to the progress and present position of the politico-religious question which has been presented to the country, and now divides parties in this province. The Atty Genl boasts that the government is strong. That it is not so, let their own action declare. From the joint testimony of members on both sides of the house it is apparent that a new, a manly, and independent spirit has been infused into this people, which will make itself felt far and near.

I stated, sir, in my opening that I intended to deal with this question in a free and independent style, concealing nothing, extenuating nothing, withholding nothing. Such has been and is still my intention. We have been taunted and attacked as proscriptionists. Is there any foundation for the charge? Sir, I confidently ask whether any Member of this House believes that had we the power, we have the desire to take away from one-fifth of the Members of this House the Road and School monies which ought fairly to be appropriated to them as the Representatives of Catholic Constituencies? The idea is too monstrous and impracticable to be for a moment entertained. Since the Catholic body by their abandonment and betrayal of myself, changed all other relations with me as a public man, I challenge them to produce one instance in which I have sought to injure them either indirectly or collectively, though they have been to a large extent and still are in my power. What was the condition of the Catholics in 1847? At that time not a Member of the body held an office in the country worth 40s. per annum. During the next ten years the Catholics obtain in this country—not as Catholics but as Novascotians, their fair share of the public offices. They were neither proscribed, nor did they possess or enjoy any undue advantage. Sir, I have been twice reproached during this debate with having taken the stand I did in 1857, because it is said I represent a Catholic constituency. There may be a small and diminishing majority of Catholics in the County of Inverness, but I believe that among them are to be found men who would support me to-morrow were I to solicit their suffrages. My

relations with the Catholic body have long been of the most patriotic character. Had I wished it I could have easily obtained a Protestant constituency, but I preferred to continue the representative of those who had so often sent me here with a large, I may say overwhelming majority. When I first entered that County it was a wilderness—now it is a garden well cultivated and intersected by roads. It has become to a large extent a refined and educated community. How far this change for the better may be attributed to me I leave its inhabitants to judge. That they have not been misrepresented is shewn by the continued support and confidence they have afforded me.

In other respects, sir, my relations with the Catholics have been intimate. In my professional capacity I defended their Ecclesiastical system from a rude attack, and it is instructive to mark the estimate then formed of my humble ability and services. In the *Cross* of January 12th, 1850, referring to the trial of Carten vs. Walsh, I find the following passage under the editorial head:

“ One of the most singular features in this extraordinary case is that it seems the Plaintiff's Counsel has loudly condemned both in and out of court the mode of defence adopted by the Honorable William Young. The Defendants ought to feel grateful for the deep interest thus manifested in their favour by their legal opponents; but we suspect that they are quite satisfied with the triumphant and able manner in which that defence was conducted. However, there *will* be little jealousies in all professions; and we are not surprised at those envious ebullitions which have been drawn forth by the continued triumphs and matchless ability of a more fortunate rival. In legal erudition, in sound judgment, in forensic and senatorial oratory of the highest order, in thorough independence of purse and feeling, in all the integrity of an unspotted character, no man in this country can be said to be superior to the Honorable William Young.

It would be unnatural if his luckless opponents did *not* condemn the manner in which he conducts the cases of his numerous and fortunate clients. We cannot refrain from stating our belief that it is a happy circumstance for the people of this Province to have such advocates at the Nova Scotia bar. As for the Catholic portion of the country they will never know, they can never too fully appreciate the admirable services rendered to the cause of their church by the Hon. Speaker and his Brother. Without compromising their own religious principles, they triumphantly vindicated the just rights of their Catholic fellow-citizens—the privilege of worshipping God according to their consciences.”

That is a tolerable certificate from the men who have been crazy since 1857 in villifying and traducing me. The privoe was then as extravagant as the detraction is now. No one I am sure, will suspect me of the childish vanity of quoting such passages for their own sake. I do so as evidence of the system in 1850. Had I been a Cicero or a Demosthenes I could not have received higher encomiums, and the same contrast is observable between the tone of those laudations and the spirit which now pervades and

actuates the Catholic press with respect to the hon Attorney General.

In the *Cross* of the 19th and that of the 26th January, 1850, they review that hon gentleman's speech and use the following language:—

“The speech, we are told, occupied five hours in the delivery, and yet it is ‘a positive fact’ that not *one tenth* of it, that is, a half an hour's talk, was devoted to the real merits of the case. ‘The rest was all but leather and prunella.’ Abuse of the opposite Counsel, anti-Catholic appeals to the Jury, misrepresentations of Catholic doctrine, mis-quotations of the evidence of the Vicar General, hollow declamation (at least in *his* mouth) on the danger of irresponsible power! maudlin sympathy, as heartfelt as the sorrow of a hired mourner, and like the last chapter of Rasselas, a ‘conclusion in which nothing was concluded’—these formed the staple of the great and grandiloquent effort, and upon all these, we shall continue to bestow the attention they deserve.

“The strongest mind becomes blinded when wielding power—the heart is led astray—principles are forgotten and slumber, power, irresponsible power, may be, must be, from man's very nature, abused.” Here are *g*lden words, *aur*, *colroque digna*; household words with the people who have opposed Mr Johnston for the last twenty years. In fact these words contain the whole political creed of Mr Johnston's opponents, a creed which he always stoutly maintained to be *rank heresy*. But he is converted now, thanks be to God, and we owe this to a fortunate accident which brought him and his client together; to those familiar interviews ‘of a few day's only’ in which he conceived such a new-born ‘admiration’ for Samuel Carten.’ In those blissful moments of the *Noctes Cartesianae*, in that delightful interchange of thought he must have drunk deeply from “the pure well of *Liberalism* undefiled.” We hope it will be no crime to remind him of his own words the next time he becomes Prime Minister of Nova Scotia.”

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“If the *Cross* were ten times its present size we could not print one half of the communications which are pouring in upon us from all parts of the country, relative to the recent Tory assault on the independence of our Church, and the religious freedom of her faithful members in this Province. We are no doubt very much pleased and edified, to boot, at the unanimous burst of Catholic feeling which has been elicited by recent events, but our kind friends must allow us to use our own discretion on this vexed question. Some are crying out for an impeachment of the Judge before the House of Assembly, and regretting that the case was not tried by Judge Dodd or Bliss, or the Chief Justice; others want to have Catholic meetings summoned in every part of the Province to discuss Mr. Johnston's speech, and to record their determination never to permit so violent a bigot to ascend the bench, or usurp the reins of power.”

Mr Johnston, I beg his pardon for naming him, will not suspect me of quoting these passages with any purpose of wounding his feelings. I quote them merely as illustrations of the system. The people of the Glebe House regard us both with a view only to their own ascendancy, and would, I am persuaded, cast us both into the

lake with equal indifference,—aye, and the Provincial Secretary at our heels, did it only serve the purposes of their order.

Sir, as the debate has assumed so wide a range—since the Provincial Secretary saw fit to quote long articles from newspapers, I may perhaps be permitted to follow his example. Let me turn the attention of the house to a paper published 26th August, 1847, by the present Queen's printer, I allude to the *Morning Post*.

MR SHAW.—That paper was published by the late John H Crosskill.

Hon Mr Young—I find it stated in the advertisement of this number that this paper was printed by Messrs Grant and Fraser. But be that as it may, it was the organ of the hon Att'y General's party of that day. Let us see what was then said of PROTESTANT ORGANIZATION.

“The rapid advances which Popery is now making both as regards its extension in this Province, and its attainment of political power in Europe, and to which a new impetus is given by the popularity of the present Pope, should warn Protestants of every creed that it is high time for them to organize for mutual support and defence. Had we nothing to dread but the spread of error and superstition, it should be a sufficient incentive for us to adopt precautionary measures to thwart and prevent its success; but we see a religion spreading which is opposed to both civil and religious liberty—a religion intolérant and bigotted, and which its own votaries declare must ever remain in antagonism with Protestantism, *until the latter shall be rooted out!* History informs us of the means adopted to root out Protestantism in different sections of Europe, at different periods; but we will merely refer to the Smithfield fires, the massacre of St. Bartholomew and the ‘Holy Inquisition’ in Spain. It is the boast of the Romanists that their religion is unchangeable, and we believe it is unchangeable in its *spirit*, as it is changeful in its *policy*. It is like a cowardly ignoble man,—an adject, creeping sycophant when low; overbearing, blustering and tyrannical when exalted.”

Again, sir, in the *Morning Post* of Feb. 2nd. 1848, they did not hesitate to travesty the Pope and one of the leaders of the Catholic Church after this fashion—

THE POPES LAST LETTER TO ARCHBISHOP MACHALE—*Translation*—To our most reverend brother, the Archbishop of Tuam, Pope Pius IX. sends health and apostolical benediction—*Reverend Brother*.—A report has reached our apostolic ears that thou has written certain letters to our dearly beloved son of the church, the most noble the Earl of Arundel.—We have been much moved, brother, in this matter; since it appears to us that thou hast absurdly divulged to the eyes of heretics the secret counsels of our church. By the holy poker! a worthy oath! thou art not the Lion of the Tribe of Judah, but rather the greatest and most notable ass of Ireland.

“Knowest thou not that all those rules which pertain to the maintenance of the Irish church, are so sent to you by ourselves and our learned and holy synod, as perfectly to deceive the English parliament and its heretical populace?”

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“But never mind old comrade, we will sell them yet. If thou wouldst throw dust into John Bull's eyes, first pour over his fat, round paunch

a quantity of soft sawder. This, believe me, so softens the hearts of angry men, that thou mayest get safely and instantly on their blind side without any botheration."

"After these things, you are the most stupid of dolts, my most reverend brother! to elaborate such furious epistles. Take the thing quietly. If these wild Irish murderers commit their wicked deeds, what is that to us? Let them go to the devil; we have other fish to fry. Take better care of yourself in future, old boy, or I will walk into you, and no mistake.

"Given at Rome, this 3rd of January, A. D. 1848, the second year of the reign."

Again, in the *Morning Post* of Nov. 8, we find the following passages—

"THE POPEDOM.—All circumstances now combine to turn the general mind of Europe on the affairs of Italy. There a revolution has begun. It is yet only in the egg, but the dragon will be hatched. It may apparently fail; so long as it depends on Italy herself, it must fail. The people are too vicious for any possession which demands daring and perseverance. The princes are a race of dependants; the priesthood are a tribe of slaves; the power of the Pope is wholly in his superstition, and that superstition has its sole power in the vices of the aristocracy and the ignorance of the multitude. A fabric built of such materials must fall; but it will require a shock, and its fall may spread extensive destruction. It is impossible that the Popedom could have stood in an age of religious sincerity.

"But that age has never yet come. When it is to come is still beyond all human calculation. And in that dreary interval the Popedom will rule, as it has ruled for the last thousand years. by its incessant appeal to the passions, its gross allurements to the senses, its restless craft in the game of European intrigue, and practised dexterity in influencing the fears and hopes of uninquiring and corrupted mankind.

"But, to come to the most important question of all, what are to be the means of Protestant defence against this most eminent of all perils? Under God, it must be Protestant union; the summons of every good, wise, and true-hearted Protestant to the protection of all. Let the bishops call upon their clergy, and point out the course which they ought to take. Let the clergy call upon their congregations, and point out the course which they, too, ought to take. If neither will act—if a fear of the frowns of Cabinets retard the one, or a love of indolence paralyse the other—let the Protestant people take their cause into their own hands. Let them hold meetings, write pamphlets, make manly representations to the empire; show that they will not be deceived, insulted, or bartered; and under God they will stand when Cabinets are shattered, put faction to shame, make Popery recoil like a trampled snake, and, in the bold spirit of British liberty, and in the pure spirit of scriptural faith, begin a new age of glory to the empire."

Now, sir, I ask with what face the men who sanctioned and sustained these publications—who adopted and authorised the publication of the paper in which they appeared, as the organ of their party—the exponent of their principles. I ask with what face they can taunt us with raising

the agitation in 1859 which they so vehemently and strenuously urged in 1847?

But, sir, we are not carrying out to the same unmitigated extent the principles they enunciated. The gentlemen on this side the house believe that though the Catholic body in 1847 yielded to a pressure which they could not resist, yet that their hearts and judgements were with us. Sir, I feel no personal antipathies to and would no more injure a Catholic in this country, than I would a Presbyterian. But I assumed, say the gentlemen on the other side, a new position in 1857, by recognizing the principles contained in the Protestant manifesto, published in March of that year. Is it really so? Let us not be misunderstood—by that which I then advocated am I now prepared to stand or fall. I was determined, and those who act with me, were determined, if possible, to have a government established on a Protestant basis, not liable to be overturned at any moment by Priest or Prelate, nor by a combination of any five or six persons the adherents of a particular faith. Let me turn your attention for a moment, sir, to that manifesto. What does it say?—

"The new Administration cannot exist an hour without Catholic support. That support cannot be purchased or retained without ultimately yielding, however specious the present moderation, to Catholic demands, more than the late Administration would grant.

"The new Administration must square its Legislative policy and distribute its patronage by the Catholic standard. The Catholic ascendancy which ten years ago was only a bug-bear, has become a reality in our midst.

"Let every Protestant Minister, of every denomination ask himself, what is the duty he owes to God and to his people in this grave emergency.—Not surely to be slothful but to be up and doing.

"Let every high-spirited and loyal Conservative ask himself whether the old party cries which have ceased to have a meaning and the aversion it may be to liberals or liberal-leaders, are to paralyze his exertions or silence his indignant protest against this new Domination.

"Let the sound thinking and moderate men of all parties ask themselves, whether the late violent change was justified by any public necessity; whether the railway, the finances, the public offices are likely to be better managed under the new regime—and, above all, whether the new Power brought to bear ostentatiously and with fatal effect upon the Legislature of our Country is to be tolerated or upheld."

That, sir, was the language used in the manifesto of March 1857, and I do not hesitate to avow that it is still the settled, determined policy of the opposition in this house. The question now before the country is emphatically—Protestant or Catholic: whether the divided Protestants are or are not to be governed by the united Catholics; whether the tenure on which the reins of government shall be held is to be subservience to Catholicity; whether we shall allow our own intestine divisions to prostrate us bound and powerless at the foot of a denominational minority? Sir, I regret that the time has come when these issues must be put fully, boldly, and fearlessly before the country; but I will not shrink from the duty—it would be base and

treacherous in me to sacrifice the principles I have always held dear, in the hour of peril.—No! sir, victorious or conquered—triumphant or defeated—the Protestant principles, which I have ever held sacred, shall never be abandoned.

But, sir, I say again, surely the Catholics cannot be so insane as to believe in the protestations of the party who have elevated to the Queen's Printership the man who published the *Morning Post* in 1847, from which I have quoted, but lest they should suppose that these articles are the single and only evidences of the hatred borne by the members of the present government towards themselves, let me quote a few extracts from the *Christian Messenger* of the 25th May in the same year. Let the Catholics in this House recollect that the "Messenger" was the organ of the present Attorney General, let them hearken to what I shall read, and then tell me if he of all men, is in a position—considering his antecedents—to stand forth as the champion of the Catholic body in this country?

"THE ROMAN CATHOLIC CONTROVERSY.—The discussion of this subject, which has now occupied our pages for several weeks, and has extended itself much farther than we at first anticipated, we shall endeavor to dismiss in our present number.

"It may perhaps be thought by some that we have selected the more gross and obnoxious passages from the columns of the *Cross*, to shew the ridicule, contempt, and hatred which the Roman Catholic Priests have attempted to excite both against Protestants and Protestantism. Such, however, is not the case. To satisfy our readers of this, we will add a few additional extracts, and which we might, were it necessary, greatly multiply. Thus they have in almost every number indulged themselves in taunts levelled against different Protestant bodies, as

"Jack Calvin himself was married to an Anabaptist widow. It seems none of the Presbyterian doves were fair enough for his fancy,"

and referring in some cases to those from whom they had certainly received no previous provocation—such as the following:—

"The Wesleyan—the Muggletonian,  
The Hugonot—the Humbuggonian."

"And first is the sample they give of what they call "Presbyterian eloquence" in prayer, and which, from other parts of the extract it is evident they intend shall apply to the extempore prayers of dissenting ministers generally:—

"Mounting his desk, awhile he sits  
In silence, and his eyes he shuts,  
Thrice he yawns to suck the spirit in,  
That is to operate within;  
Then a deep groan; and out he brays  
Such odd extemporary prayers."

"We are well aware that very many unsuspecting persons of late years, while Romanism has been comparatively dormant amongst us, have thought that the system is not such as has been represented by those who better knew its character and tendencies, and that the descriptions often found in the most authentic records, are to a great extent, overcharged and exaggerated. At least they have thought that in this nineteenth century, amid the advancing light of literature

and general intelligence, it had greatly changed its character. We might, we think, appeal for the refutation of so mistaken an idea, to the quotations already made from the pages of a *Journal*, edited by, or under the immediate sanction of, a Roman Catholic Prelate and his staff of Priests."

"This arrogant claim to superiority, the Roman Catholic Priesthood, as on the present occasion, as if it were their acknowledged and indefeasible right, and with no small amount of self-sufficient pomposity, have ever been forward to advance. The claim, however, is assuredly, as far as it respects the Irish Priesthood, worse than groundless. Accustomed to repeat their endless forms of prayer in a dead language, they all become of course, to a certain and limited extent, acquainted with the Latin tongue. But as regards any proficiency in Classical or general literature or the sciences, where the name of one English or Irish Priest can be found since the reformation, who has arrived at any eminence, or is indeed known to the literary world one hundred ministers of various Protestant Denominations can be named, many of whom have reached the highest celebrity in different departments of learning. At and long before the period of the reformation, it is a notorious fact that thousands of the Romish priesthood were too ignorant even to construe their own Latin Missals. The comparison between the English and Irish peasantry, in point of intelligence of any kind, to Nova Scotia, must seem supremely ridiculous."

Such was the style of attack—such the epithets applied by the Atty Genl and his friends to the Catholics in 1847. Let me ask what our position was in 1856? At that time the Liberals were still in power, and until then no Catholic pressure had been felt in this house, they had assisted the Protestant liberal party in this country to establish and carry out the principles of responsible government; in amity and good-fellowship had they mutually labored for the common benefit of the whole people, and I now charge on Mr McKenney, the hon member for Sydney, that he was the first man in this house to sound the notes of sectarianism. Who that recollects his oft repeated appeals to his co-religionists, and there are many hon gentlemen who hear me, in whose minds the inflammatory tone of his speeches is still fresh—who can fail to believe that he was the originator of those divisions and dissensions which subsequently led to the union of Catholics and Conservatives in order to defeat the government. He aspired to the Speaker's chair on the ground that he was a Catholic. I do not wish to say anything personally offensive to the hon gentleman, but I cannot refrain from telling him that to that position he had not the slightest shadow of a claim. What made him an Executive Councillor? Sir, I tell the hon gentleman that he came into the government, of which he was a member, as a Catholic. Had he brought, as Mr McLellan, the hon member for Colchester did lately—fresh vigor, new energy and talent to this house, were he capable of delivering such a speech as was recently made by my hon friend from Pictou, Mr McDonald, of whose abilities as a politician and debater his party may be justly proud—we might be tempted to believe that his appointment was made on meritorious grounds. Again, sir, what made the late hon Mr McLeod an Executive Councillor? For him I always entertained the highest respect as a man, but it is patent to all

the world that his appointment to the Council was made because he belonged to Catholic body. Again, sir, on the resignation of the late hon Michael Tobin, I ask what elevated the hon Edward Kenny, also a Catholic, to the Presidential chair of the Legislative Council? Was it any peculiar ability or fitness for the office? I have not a word to say that would disparage him as a merchant, or as a private gentleman, but as President of the Council, I do say, that some of his Conservative friends besought the late government to spare them the humiliation of that appointment. He was appointed as a Catholic, and what, I ask, induced him to resign in 1857, and in a single week afterwards to go back, to join the opponents of the former government, and forsake his old and long-tired friends? Would a Protestant of any character or consistency have so acted as a politician? The answer is too plain to be mistaken. How comes it that the hon member for Sydney, Mr McKinnon—having been associated with the Liberal administration and continued in the Council up to the time it was defeated, at the very next hour associated himself with their enemies, and became one of the Executive that succeeded them. The answer is, because he acted throughout, not as a politician governed by the same principles and feelings with us, but purely as a Catholic. Sir, with these facts staring us in the face, can any man fail to perceive a determined Catholic pressure which not having been yielded to in the cases of Mr McLeod, Mr McKeagney, and the hon Michael Tobin—whose feelings at this hour I do not envy, led to the defeat of an administration whose public acts and general policy these gentlemen had been parties to and freely endorsed. Something has been said in this debate of the Educational Bill of 1856—a measure I was determined to carry. The labor of months I had devoted to the perfecting of its details, so that a general, uniform, and consistent educational system should prevail in the country, but when I found that the Catholic body unexpectedly demanded separate schools—that they combined to defeat any measure which did not give them this advantage, when their influence was brought to bear and no hope was left of obtaining that mighty boon for the people of Nova Scotia, I reluctantly consented to abandon it. And, sir, in the hearing of this house, in the face of this country, I assent without fear of contradiction, that the educational Bill was defeated in '56 by a combination of the Catholic body with the then opposition under the leadership of the Attorney General who sacrificed the dearest interests of the country and of generations yet unborn to that unholy alliance.

I pass over the Gurlay shanty riots, and the conduct of the Catholic leaders in their too successful attempts to shield and screen the rioters from the correction and punishment they deserved.

But sir, look at the organ of the Catholic body in 1857. That paper assailed me with a virulence of invective almost unparalleled. I was a traitor, a bigot, an ingrate, because, forsooth, I would not bow submissively to the supremacy of the Catholic power. Let me quote a few passages from the *Catholic* of February, 1857, and, sir, be it remembered that up to this period, as the leader of the Government, as a member of this

house, neither in private nor in public had I by word or deed offended that body, unless, indeed, it be construed into an offence that I refused to submit tamely to a pressure which I felt, in justice to the country ought never to have been urged. But here is a pressure not upon us only but significantly applied to the members of this house, and shewing plainly the amount of independence that was left them by their spiritual leaders.

“ In consequence of rumours which are floating about these days, respecting certain Members of the House of Assembly, who represent Catholic constituencies in the Metropolitan city and county, and elsewhere, we deem it an act of justice to these gentlemen as well as to ourselves, to give fair and honest warning to all the parties concerned.

“ We have a right to expect that they will not misrepresent their constituents at the approaching division, but vote *against* the Government, according to the well understood wishes of the Catholics of this Province.

“ If they feel a reluctance in doing this, there is an alternative which can save their honour. Let them resign their seats, and restore to the constituencies the trust which they reposed in them, that they may elect those who will without any hesitation faithfully represent them.

“ But, for any such Member to retain his seat, and vote against his constituents, or even *abstain from voting*, it will be *treason and injustice* of the blackest dye, and will be treated accordingly.”

Now, sir, after this expression of the known sentiments of the Catholic leaders, for any gentleman to pretend, with the hope that we will believe it, that there was not a systematic irritating pressure brought to bear in 1856 by the Catholic body—that the defeat of the government was not a design which they deliberately formed, is to rely on our entire want of common sense and judgment and to treat us as if we were children or fools.

Let me give, sir, one other instance and example of that power. The hon. and learned member for Sydney asked my permission during this debate to disclose certain Executive secrets, which, by his oath as one of the council, he was bound to keep inviolate.

Mr. HENRY.—That was not the request I made. It had reference to certain confidential communications.

Hon Mr. YOUNG.—That, sir, the hon. and learned member well knew I had no power to grant. With the transactions and private matters of the party, other gentlemen beside the hon. member and myself were connected. Were such permission given him, Mr. Archibald, Mr. Wier, Mr. Annan, every other member and supporter of the administration, would lay claim to a similar privilege; and, sir, if we may judge from the latitude which the hon. member sometimes takes in this house, no doubt his version of matters would be contradicted or varied, and a recriminatory discussion would be provoked most unseemly and unsatisfactory. But, sir, let me ask what position that hon. gentleman occupies—what did he do in '57, and what has he now done? He assented to Condon's dismissal—nay, sir, he was the very man who signed the letter of dismissal. By that act what obligation did he incur? Was he not in honor and justice

bound to uphold it? Yet upon that very act he resigned his seat in the Executive; and when the resolution of want of confidence was proposed, which turned on that very dismissal, he voted against the government of which he had been a member, because of the very act which he himself had done. He commits his colleagues to a policy, and then assails them for adopting it. Sir, in the whole history of British and Colonial politics can there be found an instance like this? Sir, I do not hesitate to declare that in pursuing this course the hon. and learned member violated every principle of honor, and every rule of political morality. What induced him to do it, and to desert his colleagues? Most clearly the Catholic power, and the real or supposed necessity of propitiating it. In the progress of events came the Protestant Alliance, which, as is now perfectly well understood, rests on a religious and not a political basis, and would oppose with equal readiness Johnston or Young if truckling to the Catholic influence. It has a mission to fulfil, and is fulfilling it zealously and ably.

Among the signs of the times is there nothing remarkable in the tone that has been assumed by the public men and press of the administration towards the Protestant ministers, who used to be regarded in this country with so much reverence and affection? Do not the two celebrated words "fraud and forgery" still ring in our ears? Will the Presbyterian body—will Methodists, forget the insult heaped on the most conspicuous names in the Protestant Alliance. And has not the religious press depending on the government become subdued and tame? With these men the ancient spirit seems to have fled, but only to seek refuge in the mass of the people, among whom it will still be found, animated and glowing.

Another circumstance of a very singular character cannot fail also to attract our attention. The Rev., or rather the late Rev. Mr. Maturin, the Curate of St. Paul's, and noted for his evangelical zeal, suddenly became a convert to the Roman Catholic Church, and has published a pamphlet in defence of his new opinions. I have read it attentively, and agree with most critics that it is a very unequal production. The narrative part is tame and meagre, but the doctrinal is written with some eloquence, and with infinite art—here I cannot but suspect some abler pen than Mr. Maturin's has been busy. It is not with the literary merits, however, of this *brochure* that I have to deal. It is with the spirit it displays towards the church which Mr. Maturin has so recently deserted, and to which I must add, his very presence here is a continued and a studied insult. He tells that church—the church of England—to whom even its enemies cannot deny the possession of distinguished ability—of many christian virtues—and the inheritance of an illustrious name—"that Christ himself has forsaken her, and the Holy Ghost has allowed her to fall into the most awful errors," and that not one-third of the population of the mother country now adheres to her. Then extending his view beyond his late spiritual mother, Mr. Maturin announces the alarming discovery that tradition is of equal authority with scripture—that "the Bible is founded on the Church and not the Church on the Bible,"—and that "the reformers of the sixteenth century were guilty of the double crime of schism and heresy." In this

sweeping condemnation he includes Luther, Calvin, and Melancthon, and wonderfully harmonises with the extract I have just cited from the *Cross*. But, sir, names so illustrious, and living in the affections of so many millions of Protestants—handed down from age to age with increasing veneration—and bound up with the most cherished rights and the most sacred privileges of our race—are not to be so easily tarnished, and will ever survive, I hope, the assaults of this Roman Catholic neophyte. One virtue I must certainly allow him. When I saw it announced that Edward Maturin, Esq., M. A., had placed himself under the spiritual direction of the Rev. Mr. Roles, I could not but confess that humiliation could not further go.

Sir, the time has evidently come in this country, when the old distinctions that separated the various Protestant communions should be obliterated by a sense of their common danger. The old quarrel between the Liberal party and the Church of England was finally settled in 1851, at the passing of the Revised Statutes, when the mere name of an establishment—for in this province it was nothing more—was dropped by common consent, and the constitution was given her by law, which the more active, perhaps I may say, the more democratic portion of her own people desired. The act was framed by themselves and passed in this house by unanimous consent. Since that hour we have never heard one word of hostility to the Church of England in this Assembly. Her college at Windsor stands on the same footing with the others, and her best friends, I believe, will admit that the truest service that was ever done to that institution was to throw her on the affections and liberality of her own gifted sons. I rejoiced to hear the other day from one of her alumni, well qualified to judge, that a first-rate education is now to be had within her portals, under the eminent scholars which the governors have engaged, and trust that their general influence will be widely and favorably diffused.

And why should Presbyterians, Methodists, Baptists of independent thought and a generous type—why should the old Conservative and the old Liberal parties be any longer disunited? Responsible Government, whether for weal or woe, is firmly established, and to the great mass of the people the only interest that remains is to have an independent, a firm, and an honest government, which by the present coalition, in its humiliating bondage, we never can have.

We want a government which no priest or prelate can overturn, and therefore can rule at will,—a government, which shall not present the strange spectacle of twenty Protestants on one side, with the aid of eight Catholics, over-riding and coercing twenty-five Protestants on the other,—a government, which shall neither resemble the present, nor be a resurrection of the past, but which shall combine in itself, not for the sake of the paltry offices it can give, but for higher and nobler ends, the best intellects and the most cultivated minds, and represent the social rank, the accumulated wealth, and the public virtue of our province. No one can deny that the materials of such a government exist, and that it is in the power of the people to erect it. No one will pretend that the present government approaches this model, and I acknowledge that the government which was overturned,—and



which I had the difficult task of leading for three years, fell far short of it.—This government has not the strength to resist the pressure of its own needy partizans, and its own importunate passions. Else such repeated violations of the declared opinions of its leaders when in opposition, and such dismissals as those of Forman, McCully, and McLean, would never have disgraced it. We would never have seen the re-appointment of Condon—the closing of our public offices, and the other numerous signs of a subserviency which it is impossible to mis take. It may be that all this will for the present be upheld, and that the administration will be sustained by their majority. But I am looking beyond this house. I appeal to the whole people—the source of power and the basis of party strength in this country. We are told, though I can scarcely credit it, that the Catholics at the coming election are to be united as one man. To a large extent they may be so—and if so, let them be met by a corresponding union; let Protestantism also arise in her strength and proclaim in trumpet tones to every village and hamlet in Nova Scotia the importance and value of the issue they have to try, and the duty of distinguishing between the men who are true and steadfast to the free spirit and genius of our constitution and the leaders and adherents of the present piebald administration, whose ambition has blinded them to the dangers which equally assail us all.

Mr. WADE said:—I do not rise for the purpose of taking up the time of the house by a lengthy speech on the subject of debate, but I feel it due to myself and to the country, to make some explanation in reference to the charge brought against me by the hon. member for Windsor, in his speech of yesterday; and this is the more necessary because it appears to be a regular system pursued on the part of that hon. gentleman to misrepresent me and my acts ever since I felt it my duty to separate myself from him and his party.

The same thing occurred last session, when the hon. member for Windsor distinctly misrepresented me.

[Read from report of last session.]

He then said—“The learned member for Digby, in his speech of to-day, laid all the blame of his political inconsistency upon the member for Windsor. He would not have gone over to the enemy but for my letters. Nobody complains of his going; but if he intended to go, in my opinion, he should not have met in caucus with his old friends, concurred in their acts, and only deserted them when there was a hostile majority without him.”

To which I replied on the moment, “I deny it”—cries of order. The member for Windsor must recollect that I carefully avoided all reference to the secret action of the party. But now that the subject has been referred to, I may say that I distinctly informed them that if they took the action proposed, I must leave them. If the member for Windsor dares to drag my name into this debate, I will be prepared to meet him.

I come now to the question upon which I rose to explain. The honorable member for Windsor charged me with moving the previous question on the railway debate last session. The hon. gentleman did not do me justice in the remark he made. He stated that I had taken this course

because I was afraid to meet the subject on its merits, and when I reached home I found the slander repeated in the newspapers of the opposition, and it was for this purpose that I rose yesterday to request him to put the matter right before the country or allow me to explain.

Now, sir, what are the real facts? On the occasion referred to I gave notice that I would move the previous question, but most distinctly deny moving it. Again, under what circumstances was this notice given? The Railway Committee, of which I was a member, had sat every day for nearly thirty days, patiently and honestly investigating the claims brought before them, and I may say, that although I do not possess the mighty intellect or the grasp of thought for which the hon. member for Windsor is so remarkable, yet I, in common with the other members of the committee, gave to the matters brought before us, an earnest and attentive consideration, and endeavored to discharge our duty to the house and the country to the best of our ability. Our report was brought in very late in the session, and after some time had been spent in discussing it, I stated that urgent private business rendered it necessary that I should return home, and I was very anxious before doing so to record my vote on the Journals, for I well knew that if I left without doing this, my reasons would be misrepresented, and it would be stated that I did not dare to give my vote on the question; and it was for this reason, finding there was a disposition to waste the time of the house and to prolong the debate, that I was compelled to give the notice that I would move the previous question.

This was the explanation I wished to give yesterday, and if the hon. gentleman had fairly stated the case I would not have interrupted him.

The motive of the hon. member for Windsor is apparent. He wished the country to believe that the Railway Committee had yielded to the unjust demand of the contractors, and had reported that they should be paid £70,000 of extras which they were not entitled to, and he endeavored to create the impression that I had sacrificed the interests of the country in the course I took on that question.

Now, sir, I take some credit to myself for the stand I took in reference to the introduction of the system of railroads we have now in successful operation—and I think I may without vanity assert, that I was to some extent instrumental in bringing it into existence.

That hon. gentleman has frequently referred to me and my political career in contemptuous terms; but I can tell him, that although perhaps I do not possess his mighty intellect, yet I have always endeavored to bring to bear upon public questions the abilities, however humble, which God has given me;—and whatever may have been my faults, I have never yet misled the people of this country as he has done, by telling them that the railroad could be built at a cost of £6,000 per mile, when in point of fact they have cost £12,000.

And now, Mr. Speaker, as I have merely risen for the purpose of explanation, I shall not further occupy the time of the house.

Hon. Mr. HENRY said—It would ill become me, Mr. Speaker, at this late period of the evening, to ask at any great length, the attention of the

House; but yet, Sir, the speech to which we have just listened requires notice at my hands.

It will be recollected that in his opening speech, the hon and learned member for Inverness made certain references to me which demanded and received the reply I subsequently made. I, at that time requested permission, not so much to divulge cabinet secrets, but to explain communications that had passed between ourselves. That permission, for *his own good reasons*, he has not seen fit to accord; and the public are therefore in a position to decide who is wrong—I who desire that every portion of my conduct should be openly canvassed, or he who has had the bad taste to make charges which he should know he cannot sustain—who is afraid of the light and wishes to keep the public in the dark. Immediately on the resignation of my office and the seat in the Government, I applied to the Governor for permission to make such statements as I might consider necessary for the due vindication of my altered position, and without which my conduct and motives might be misrepresented. His Excellency saw no objection to do as I wished, but requested me to send to him the hon Mr McNab. I delivered a message to Mr McNab from the Governor and explained my views to him. He replied that he would see Sir Gaspard as requested, and I waited in vain for an answer, and my lips have ever since been sealed;—while I have been compelled to listen to all sorts of interpretations put, without the slightest foundation in fact, upon my public conduct. In the reply I gave to the first speech of the hon and learned member for Inverness, I stated that information had reached me, to the effect that he had misrepresented a certain conversation of a private and confidential character which took place between us at his own house. And I asked him to state whether he had in any way violated the confidential character of the communication on the occasion referred to. He has not had the manliness to reply either Yes or No to that question; and yet the hon and learned member, knowing that I could not make public that which would have refuted and scattered to the winds his futile and unfounded statements, ventures—the facts being concealed by and studiously withheld by himself, to draw an argument, from my having signed the letter of dismissal to Coudon, intended to injure my public position.

I tell the hon and learned member in the face of this House and the country—and he knows it well—that had I been permitted I could have made, and could now make such disclosures as would, while completely and conclusively vindicating my position, would leave him in such a position that his worst enemy would pity him. With these statements I leave the public to judge between us. I make these observations without temper or excitement, having known the hon and learned member too long to be effected by any personal references he can make to me.

The hon. member for Windsor also saw fit to make some personal references to me, and to comment, in no measured terms, upon my public action. He referred to Lord Thurlow, floating between two parties—a most unfortunate reference, as I shall presently show. He spoke of the resignation of the late Mr. McLeod, and the opposition given by Mr. McKeagney to the government. Let me point him to his conduct and his actions touching the late gov-

ernment. In 1856 a Judgeship became vacant—the changes which had taken place when the hon. member for Windsor, from the Provincial Secretaryship, was placed at the head of the Railway Board, gave to Mr. Wilkins, then the representative for Windsor, the former office. When the vacancy occurred on the Bench, I conceived I had a claim to the office, but gave way to Mr. Wilkins, to remain with and serve my friends and party. To carry out that view I accepted the office of Provincial Secretary. Before however taking the course I did, I had a confidential conversation with the hon. member for Windsor, and without trespassing upon forbidden ground, I may say generally that, from what passed, I had no reason to expect from that gentleman other than the most hearty and cordial support to the government. A place for the hon. member was made by the appointment to the Bench of Mr. Wilkins, and he came in, in his place, as I had every reason to expect, a zealous and hearty supporter of the Government! This was in August; but before the next January, where, I ask, was the hon. member for Windsor? What party did he then sustain? Who was then floating? Was he then a cordial supporter of the administration of which he was a subordinate officer? The Gourlay shanty riots, and the Crompton meeting had taken place, and Coudon's letter was published in June. The whole of the irritating circumstances had, therefore, been two months before the public when the hon. member was returned as the avowed friend and supporter of the government. The celebrated trials came off in November following, and upon them the letters of the hon. member for Windsor, abusing the Catholics and insulting the government.

Now, sir, up to this time, it must be borne in mind, the Catholic body had supported, and were supporters of the government. What right, then, I ask had the hon. member for Windsor to come out and over his own signature, asperse and defame a large and influential body, being the supporters of the government of which he was a subordinate officer. What right had he to dictate the course which the government ought to pursue, and ask "have we a government?" and then add "the people will soon ask that question and will not wait long for an answer." Where was he then? What party did he sustain? Is that the conduct of a subordinate? What prescriptive right, what overpowering weight was there in the hon. member for Windsor that he, while he occupied a subordinate position, could publicly dictate a line of action,—a course of public conduct to the nine men who by a majority of this people had been entrusted with the management of the public affairs of this Province.

In the letter of the hon. member for Windsor, published in the *Morning Chronicle* in January 1857, he uses this language in reference to the Catholics of this Province—"They may band together, herd together, and scowl at those they dislike; but to all intents and purposes, they are, and will be, regarded as a foreign element in the midst of a British community. Good subjects will shun them—good citizens distrust them—good politicians will watch them, and just so long as they cherish and avow such sentiments as these; the people of Nova Scotia will take care that they have neither social standing nor political power."

This, it must not be forgotten, was written be-

fore a single Catholic had withdrawn his support from the administration,—and before the meeting of the Legislature in 1857, during which the government was defeated.

The Catholics to protect themselves, had to seek an alliance with others, and leave the association of those who backed up and identified themselves with the views and objects of the hon. member for Windsor, so unmistakeably portrayed in that letter. On their taking that course the hon. member for Windsor should not complain. It was the necessary consequences of his procedure. He makes the house to hot for them, and then complains that for shelter they sought another.

And, sir, after this language was held to the Catholic body—after they are told that there was no independence among them—that they bowed submissively to the dictation of a foreign potentate, who instructed them just what to do and they do it—after we are informed that the influence of the Catholics must be curtailed—their power checked—their privileges curtailed, then the hon. member for Windsor and they who act with him would have us believe that there is no such thing as proscription intended. The Catholics are to be deprived of their share of the common school monies—of their road monies—of their political power in the country as a body of the population of Nova Scotia, and yet, sir, there is to be no proscription. Sir, do hon. gentlemen opposite consider us such very dol s as to be led away by plausible sophistry like this. Let hon. gentlemen recollect that the letter of William Condon was written in June, 1857; the letters of the hon. member for Windsor appeared in the fall of the same year—the dismissal of Mr. Condon did not take place until eight months after the alleged offence was committed. I wish the hon. and learned leader of the opposition would get up here and tell us candidly and openly what he really does think with respect to that transaction—what opinion he *de facto* entertains of the pressure brought to bear to compel the dismissal of Condon. Sir, any man acquainted with the course pursued by the hon. member for Windsor—any man to whom the facts of this case are known and patent—any man possessed of a due regard for, and knowledge of, the position which he as a member of government ought to occupy, the course he ought to pursue with respect to his colleagues in office—any man possessed of a particle of public spirit—of manly independence, would have acted as I did, and not pliantly yielded, as the hon. and learned member for Windsor desired, to his dictation, and consented to do his bidding. I sacrificed position and advancement to keep my party together—to carry out my principles. I would be quite willing to do so again, but I will never consent to hold my public position at the will of *any man*, by his sufferance, and say as the hon. leader of the opposition might say to the hon. member for Windsor, “You have destroyed your party, turned your friends out of office, alienated the good feeling and support of a large body of their supporters; but yet I will remain silent and content, until it pleases your *mightiness* to allow me again to assume a position, and will again remain quiescent, even if you should take it into your head to give me another kick out.” I ask, therefore, the hon. member for Windsor, who *was floating* from party to party—from one

position to another, when these scenes were being enacted, let him give the answer to *his leader*.

Hon. Mr. Howe rose to address the house—  
(Cries of order.) Mr. Howe—I merely wish to know, Mr. Speaker, what position we occupy. The privilege of closing a debate has always been conceded to the gentleman moving a resolution. The hon. and learned member for Sydney has violated that rule, and after the hon. and learned member for Inverness closed, has made a speech which I cannot and will not allow to pass without reply. If the question is taken now I shall move an amendment to obtain that right.

The question was then taken on the amendment proposed by the hon. Mr. Young, when there appeared:—

*For the Amendment.*

*Again st.*

Messrs. Esson,	Messrs. Churchill,
Reinard,	Moses,
Wier,	Wade,
McDonald,	Killam,
B. Smith,	Bent,
Davidson,	Caldwell,
McKenzie,	Bourneuf,
Bailey,	Bill,
Geldert,	McLearu,
Locke,	C. Campbell,
Parker,	McFarlane,
McLellan,	Shaw,
Morrison,	Brown,
Chipman,	Tobin,
Chambers,	Ryder,
Young,	Hon. Atty General,
Webster,	Hon. Finl. Secretary,
Annand,	Ruggles,
Robertson,	McKeagney,
Archibald,	Hon. Prov. Secretary,
Munro,	Hon. J. Campbell,
Hon. Mr. Howe.	Martell,
—22.	Henry,
	P. Smyth,
	Robichau,
	White,
	Hon. Mr. McKinnon,

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Hon. Mr. Howe.—The amendment having been rejected, I now move that the word “very” be inserted in the first clause of the address, for the purpose of obtaining an opportunity of replying to some of the extraordinary statements made by the hon. and learned member for Sydney. He was an Executive Councillor for three years, I was not. I came out of the council in 1854—from that time until 1857 my lips were unsealed. I had no oath to keep—an officer, but not a member of the government, I am at liberty, if I see fit, to disclose whatever is necessary for self-defence. But, sir, cognisant as I was of most that transpired among the party supporting the government, I think it must be conceded that I have up to this time said nothing which could compromise anybody. But, sir, if anything could tempt me to give to this house a narrative of that which I know relating to the government of which the hon. member for Sydney was a member, surely the speech just delivered would form my justification. I need hardly say, sir, that this I would not do; that I hold myself as much bound by my oath, and that the confidence reposed in me will never be abused. But the member for Sydney shall not misrepresent my conduct with impunity, and when he presumes to do so must take the

consequences. I was unfaithful to the government of which I was an officer—was I? I gave it but a hollow support—denounced it on the Windsor hustings, and ultimately destroyed it—did I? So says the member for Sydney—let the house and country judge with what accuracy or justice. But let me ask this question. He was a sworn Executive Councillor—the Provincial Secretary of this province—bound to do justice to all parties in the country—if I was recreant to my party, unjust to the government, why did he not dismiss me? Was it because he had not the moral courage to do so—or is this but an afterthought to justify his own conduct? Sir, in writing the letters which I wrote in the fall of 1856 I well knew the risks I ran, and was quite prepared to take the consequences; but the hon. member, if he is now to be believed, instead of doing his duty like a man, dismissed Condon, who was not to blame, spared me, who alone was culpable, and then, seeing the consequences of his own conduct, abandoned his friends for doing what he did himself, and now would have the country regard him as a perfect model of consistency. If I did wrong why was I not punished? If Condon was unjustly dismissed, why did the member for Sydney perpetrate the act? Sir, the key to his action is afforded by his own speech. Visions of a celebrated wig, which he thinks should have decorated his own head, have disturbed his imagination ever since it was placed on the head of another. From that hour a spirit of dissatisfaction has been evinced by the humble gentleman. Now, sir, after I left the government I did not trouble myself with its affairs, I had enough to do as chairman of the Railway Board,—but I do not hesitate to say, since he has preferred this charge against me, that instead of weakening, or opposing, or intriguing against the government of which he was a member, I saved it from being smashed to pieces at least three several times. Had I held my hand—had I held my tongue, his government would have fallen to pieces like a cask without hoops. It was in that condition months before I wrote a line of my letters.

A vacancy occurred on the Bench in consequence of the resignation of Judge Halliburton. I was sitting in the Railway office not thinking of state affairs, when two members of Council came in, and declared that the government was about to be broken up by Mr. Henry's insane ambition, that he was pressing in a most pertinacious manner for the Judgeship, until at last he had got the Executive into such a situation that it would be broken up. They asked my advice as a supporter of the government. I enquired if they had made up their minds as to the disposal of the Judgeship. They said they had; said I, my advice to you is, do what you think is right, and if Mr. Henry is not satisfied set him at defiance. Then the Judge was appointed, and from that day to this the member for Sydney has never forgiven me and never will.

Hon. Mr. HENRY—Sir, I feel myself quite able to maintain my position in defiance of the hon. member for Windsor. I believe the statement he has made, wherever he got it, that two members of the government were prepared to resign in consequence of my having pressed for the Judgeship vacant in consequence of the resignation of Judge Halliburton, is entirely unfounded. If it be the truth, I call on the hon. and learned

member for Inverness and my other colleagues to say if they had made up their minds to pursue that course. I do not believe they could have held such language to the hon. member for Windsor, for they held far different to me. He refers to his having kept secret the transactions which took place between himself and the party to which he belongs; for that he deserves no credit—he has never been misrepresented—I have. It was never requisite that he should explain his position. In my case the observations made on the course I pursued renders explanation necessary; but I have charged, and I now charge, the hon. member with a want of allegiance to his party. Is he the man to come forward and taunt the government of that day with imbecility? Let his own conduct answer. He says he knew the consequences of his acts when he assailed the Catholics. I fully believe he did, and his wishes to break up the government have been gratified. He could have had no other object. His calculations in other respects have failed, and he now occupies the position his conduct merits. In one of his letters he says Condon should have resigned before taking the course he did. Judging the hon. member by his own rule, he should have resigned *his* office before he ventured to assail the government as he did in January, 1857. If he had no confidence in the government, why did he receive its payment and endeavor at the same time to overthrow it?

Mr. TOBIN said:—In 1856 when the letters of the hon. member for Windsor appeared, when he told us the government of that day were unable to maintain law and order—when we were told the public works were in the hands of a mob, and that the government had ignored their positions—then the hon. gentleman asked have we a government, and said the country would soon ask the same question and would not wait long for an answer.

I ask sir, what was my duty—was I not to assist in bringing into power a government that would maintain law and order, and since this government came into power had not law and order been maintained, and has not all classes, creeds, and denominations lived in perfect security, and in the enjoyment of all their privileges; since then sir, we have not had any of those disgraceful riots on our public works, which took place during the administration of the former government, and perfect peace and tranquility has reigned all over the country. Now, sir, as regards the Judge—did not the difficulty arise from the fact that there was three heads and only one wig—was not that the difficulty. Where do you think this difficulty was settled, at Government House, no! At the Council Board, no! Where then; at the house of the hon. member for Windsor, who held the political existence of the administration in his hand—who was their lord and master, and their governor defacto.

Hon. Mr. HOWE.—I ought to feel highly complimented by the statement made by the hon. member for Halifax; unfortunately, sir, it is not accurate. I never sought influence with the late government,—the members of that administration on various occasions asked my advice and I freely gave it. Now, sir, the hon. and learned member for Sydney does not seem to like the statements I made. I tell him again that his government would have fallen to pieces like a barrel without hoops three several times, had I

not exerted myself to sustain them. Had he not charged most unjustly on me opposition to his government, that statement would never have been made by me. He says I asked, "Have we a government?" but he forgets that long before I did so, the same question was put in the Catholic organ in connection with an enquiry—"Why Mr. Howe and Mr. Annand were not dismissed?"

HON. ATTORNEY GENERAL.—This, sir, is certainly the most singular revelation—the crowning announcement—the learned leader of the opposition, compelled to sit here and listen while an official under his late administration, and one of his professed followers now, describes his government to have been of pitiable imbecility—as a barrel without hoops—to use the significant phrase of the hon. member for Windsor—time and again tumbling to pieces, had he not in great condescension stretched forth his hand and kept it together.

The government cooper—as I hear a friend beside me suggests, (laughter) without whose aid the barrel would have fallen to pieces—on the floor of this house, before the country, and in the face of his learned leader, makes this announcement. Oh! most humiliating of humiliations.—(Laughter.)

But, sir, I ask what becomes of all the vauntings we formerly heard about a strong government—vigorous Executive—ability to deal with great measures—what of these boastings, when the fact is now patent, that without the aid of the hon. member for Windsor, then a subordinate of the administration and not even a member of this house, the late government could not fill a vacant seat on the bench, or be saved from self destruction—and that he had power to compel them into a line of conduct, which from the facts known to the world, was as much opposed to their inclinations as it was to their interests.

There is a consideration, however, of greater significance and higher import, which arises from the speech of the learned member for Inverness, the leader of the opposition, and it is a consideration which stamps on the banner that he and his party have unfurled—degradation—the lowest degradation—alike political and religious.

The hon. member read from the *Christian Messenger* of May, 1847, extracts to show that the Catholics had in that year assailed in their press whatever was held most dear by the Protestant, and especially the Presbyterian Protestant. Does the enquiry not force itself upon us—How did the hon. gentleman and his party then demean themselves? Did they indignantly repel the assault? Did they vindicate the men and the principles they profess to revere? Were the Catholics then depicted as dangerous and unworthy men; a class whose privileges and power should be curtailed? Oh! no, sir, language like that escaped not their lips. The hon. gentleman and his friends then were content to bear the lash meekly; tamely to sacrifice religious feeling—basely to silence every manly utterance. Then on bended knees they sued for Catholic aid; lowly they prostrated themselves before the Catholics, implored their assistance against their political opponents, were borne into power on their shoulders, held office for ten years by their aid, and now only assail and malign them when their support is withdrawn. Can it be possible! is religion to be entrusted to the guardianship of such men? Shall the people of Nova Scotia be insulted by a Protes-

tant appeal from such a source! Again, sir, turn to the press at that period. The learned member for Inverness this evening exhibited to you the *Christian Messenger* of May 1847 as throwing itself fearlessly into the conflict then raging and fulfilling the duty which the circumstances then imposed. How deported the liberal press at that stirring time? In less than three weeks after this issue of the *Christian Messenger* to which the learned member has adverted, the organ of the liberal party denounced the Conservatives as raising "a wicked cry to set Catholics and Protestants by the ears"!! Such being then their opinions and their conduct, how appropriately may be applied to the gentlemen opposite in 1859 the language used by them in 1847. Without the excuse of acrimonious religious controversy to exasperate, with no reason beyond the promptness of their own selfish and disappointed ambition, they now raise the "wicked cry." They go much further, they urge Protestant against Catholic in rancorous enmity in the unworthy endeavor to strip one portion of their fellow subjects of their constitutional privileges as the penalty of their religious opinions—that they may themselves step into power. On their own shewing and as contrasted with themselves, can degradation be deeper, and can we listen to the mockery of their protestant cry now. Deprived of office and seeking only to return to power—regardless of truth and reckless of consequences—forgetful of former obligations and mindful alone of their own sordid interests, the opposition would excite throughout the province religious strife—rouse the fiercest passions of man's nature, and array fellow citizens and fellow subjects against each other in the deadliest hatred. Let them beware—now they sow the serpents teeth, but bye and bye comes the harvest of armed men; and then will the fruits of this most wicked combination be matured in the worst evils that can distract a country. They will not succeed. The people of Nova Scotia will not, cannot—be so forgetful of their own and their children's welfare as to bring back to power a set of men holding doctrines and pledged to a policy so pregnant with direful consequences to the present and future peace of the country—so destructive of civil and religious liberty—so opposed to the spirit of our constitution and the rights of conscience.

HON. MR. YOUNG.—The speech which has just fallen from the hon. Attorney General is but declamation, eloquent declamation, it is true, but declamation still. Now, sir, I have always entertained the opinion that public men should preserve sacred their communications with each other; what has been said to-night, sufficiently proves the propriety of that doctrine. The hon. member for Halifax says three persons wanted the wig. I never heard of it before, and if it be so, I can thankfully say that I was not one; I would not have accepted it, and I might have had it if I wished. I deny that that Judgeship was settled in the house of the hon. member for Windsor; it was settled regularly—in the legitimate way at the Council Board. Now, sir, the vehemence of the Attorney General was altogether out of place. He complains that the Catholics are now attacked by us, while in 1847 they supported us and we received their support; the answer is quite simple, let me give it to him. In 1847 no member of the Catholic body holding office in this country had promulgated disloyal

sentiments while the mother country was at war with a foreign power; no Catholic had used all his power to thwart her efforts to recruit the exhausted armies of England. In 1847 no Protestants had been gutted—no Protestant heads broken by an armed and lawless Catholic mob; in 1847 no Catholic influence had been used to shield Catholic criminals from punishment for these acts of lawless violence; in 1847 no Catholic pressure was brought to bear on the government; office after office was not then demanded by Catholics, because they were Catholics—and no government had been defeated by the united action of the Catholics, because these unjust demands were not complied with. Therefore, I tell the hon. Attorney General that what might have been unjustifiable in 1847 is justifiable in 1859, and his argument falls to the ground.

The house then adjourned.

MONDAY, Feb. 28.

#### RAILROAD TO PICTOU.

Mr WILKINS said: Mr speaker—The subject to which I am about to call the attention of the house, is of so much importance to the people of the Province, that I do not deem it necessary to apologize for occupying the time of the house, while I endeavor to enunciate the grounds on which I found my argument in favor of an extension of the railroad to Pictou.

It might be supposed that in advocating this subject I am actuated by sentiments and motives of a local or sectional character. If any gentleman should entertain such an idea, I desire at once to disabuse his mind by assuring him that I am in no manner influenced by local prejudices or prepossessions. I desire to view this great question altogether in a general or Catholic light as a representative of the whole people, and in making this declaration, I am entitled to credence because of the course which I pursued in 1854, when the policy of constructing railroads as Provincial works and on government account was initiated. At that time looking as I now do, to the interests of the Province at large, and believing that it was imprudent and impolitic to create a vast unmanageable public debt, I opposed the railroad bills. An hon member, on that occasion, taunted me with overlooking the interests of Pictou, by my opposition. I replied to him that I viewed the subject in the light of the interests of the whole people, and that although Pictou might be interested more immediately than other parts of the Province, yet, as a representative of the general interests of Nova Scotia, it was my duty to guard the public rights even at the expense of my own immediate constituency.

Again, sir, it may be supposed that there is some inconsistency in my advocating in 1859 the extension of the road and consequent augmentation of the public debt, the creation of which I so strenuously opposed in 1854. The same spirit of economy, however, which influenced my opposition in 1854, now prompts me to advocate the extension of the road to Pictou, for I conscientiously believe that if it stops at Truro, the railroad will prove an intolerable burthen instead of a blessing to the people, but let us have the wisdom to make the necessary exertion to carry it to Pictou and the Gulf of St. Lawrence, and the busi-

ness it will create, and the trade it will call into existence will relieve the province, and, in all probability, before many years, entirely disburthen us of the pressure of our enormous public debt.

I will now proceed succinctly to enunciate the argument or process of reasoning, by which I shall endeavour to establish the propriety and policy of extending the road to Pictou. Before I do so, however, I will freely admit that the project will occasion a considerable increase of the public debt, for I shall assume that the road from Truro to Pictou will cost £10,000 a mile, and, with judicious management, I should suppose it need not exceed this sum. The 40 miles therefore will add £400,000 principal or £24,000 interest to the provincial debt. It is true that our roads have cost a larger sum per mile, but we have, I hope, purchased experience, and feel the necessity for economy, and by their aid, I am fain to hope the road may be constructed for the sum I have named.

My argument then, sir, is this—if the railroad stops at Truro, in the heart of an agricultural county, it cannot earn its working expenses, and if this be the case, it must prove ruinous to the province; for every pound that its working expenses exceed its earnings is so much money wasted forever. Can this result be prevented? I believe it can, in one of two ways,—first, an intercolonial railroad, from Quebec to Truro; or secondly, an extension of the road to Pictou, the coal mines and the Gulf of St. Lawrence, would enable our road to clear itself, at least of its working expenses.

Now, sir, as regards the ruinous results to be apprehended from allowing the road to stop at Truro, I have been at some pains to examine the probable cost of working our roads, in comparison with their receipts. I have ascertained the average working expenses of railroads in the Northern States, where the climate is similar to ours; and there although they are controlled and managed with all the care and economy of the private companies, who own them, and where they must be worked and managed more cheaply than by government, the working expenses average over £1100 per mile annually.

With all the information I could acquire, and I have sought the best I was aware of, I am convinced that our roads, if managed and kept up as they must be to be of any public convenience, will cost not less than £1000 per mile annually for working expenses. This would give a total of £60,000 a year outlay on the road from Halifax to Truro. I ask, sir, if any man in this house expects that a road, from Halifax to a little country village, in the centre of a purely agricultural district, depending for its traffic in a great measure on the resources and productions of that county alone—without terminating at a commercial port—and not creating anything in the nature of a new trade, can be reasonably expected to realize so large an amount as £60,000 a year? Surely not, and if not, every pound it earns short of that enormous sum, is forever lost to the province. The amount of the deficiency, whatever it may be, might just as well be taken down and thrown over the market wharf.

I have taken considerable pains to obtain an estimate of the probable earnings of this line, and

making, in my opinion, an extravagant allowance to the possible paying properties of the road, I admit the possibility of its paying as much as £80 a day for the 313 working days in the year, or about £25,000 a year. I do not really believe that the line can possibly yield so great a return, but as I have put the working expenses so high as £1,000 a mile, I am content to make the earnings high also. Deducting then the £25,000 from the working expenses we have a balance of about £35,000 against the road, to be supplied at the treasury annually. The interest on the amount already expended on our railroads is £60,000, to which if we add the above sum lost on working expenses, the drain for railroads alone on the public chest will amount to £95,000. I ask if the Province is in a position to bear so destructive a burthen extending as it does to within a few thousand pounds of our whole annual revenue. It must be admitted then, that to leave the road in its present state, will be disastrous in the extreme, and that it is indispensably necessary to the security of the province, that another and better terminus than that of Truro should be sought for it.

Let me now, sir, examine the practicability of each of the remedies I have proposed. The first is the inter-colonial railway. Even if we had the means of constructing that enormous work, some ten or fifteen years must elapse before any immediate relief would be afforded by it to the Province. Passing through a country in a wilderness condition, no earlier benefit could be derived from it. It must also be borne in mind, that four or five years would be required for its construction, and in the interim, the Province may be financially ruined; for if we throw away £20,000 or 30,000 a year it will not be long before we shall be under the necessity of calling on our creditors to content themselves with a reduction of the interest on our debentures.

But let us see what prospects we have of an inter-colonial railroad. In 1851 we had some reason to hope for the advantages to be derived from this gigantic work, for then the colonies were comparatively free from debt, and we were led to expect a loan of the money necessary to its construction at 3½ per cent. and that without providing a sinking fund for the ultimate liquidation of the principal. This opportunity was lost, in consequence of some misunderstanding with the colonial minister, and since that time all the colonies have rushed into debt so deeply, that at this moment, neither Canada, New Brunswick, nor Nova Scotia have it in their power to do anything towards the accomplishment of that great undertaking, and it will require all the energy and financial ability at the command of the house and the government to digest some method of providing even the sum necessary, indispensably necessary, for the repair of our bridges and the maintenance of our roads. I ask, then, what prospect we have of obtaining an inter-colonial railroad within any reasonable period? I can see none, nor do I believe that any eye that now beholds me, will ever see it; and here, sir, I cannot forbear to express my unqualified surprise that the government, under such circumstances, had the imprudence to send delegates to England to make an offer of £20,000 a year which we had not, to promote the construction of a railroad

that we had no right to consider within the range of practicability, even had her Majesty's ministers been improvident enough to enter upon so hazardous an enterprise, under the existing state of the affairs of the mother country.

I think it must be plain to every man of reflection that there is one only way in which it is possible that the inter-colonial railway can be constructed, and that is as a great national work at the expense and cost of the British Exchequer. But, sir, before the British Government would venture on a work that will cost some four or five millions, it must be made to appear to be really of national importance that it should be constructed. Her Majesty's ministers have too much good sense, not perceive that its advantages in a national point of view, are insignificant in the extreme. The road could be of no real service in time of war, for a few Yankees and Indians could cross over the line and burn and destroy as much of the road in one night, as could be repaired in one year. All the munitions of war can be carried by Pictou and the gulf to Quebec in summer. If the Americans were foolish enough to attempt an invasion, which would at any time, blow up the flames of a civil war among the states of the Union, they would not make the attempt in the winter, unless they wanted their army to be frozen to death, like that which invaded Moscow, and left their bones bleaching on the inhospitable plains of Russia. England well knows that she need have no apprehension of a loss of these colonies at the hands of foreign invaders, and so long as she retains the warm affections of her colonial subjects, no enemy can wrest us from her dominion. The armed stranger may try the experiment of invasion, but his army, if not repulsed, as it assuredly would be, by the strong arms of the militia, would but occupy the ground on which it stood.

Neither, sir, have we more reason to expect this great road to be made by a company; and Her Majesty's ministers have shown their wisdom in rejecting the advances of that company whom Lord Bury recently represented in the colonies. Let us look at their scheme. They proposed to borrow three millions at four per cent, under the guarantee of the interest on £120,000 annually by the British government. To make up this sum each of the colonies was to advance £20,000 a year. Suppose this company could construct 450 miles of road through the wilderness for the three millions, and if they did they must build much cheaper than we can in this province, and suppose that after they have constructed the road it should be found to sink a few hundred thousand annually in working expenses, how long would the company last? Why, sir, they must fail, but we would be left still liable for our share of the interest. If the company could not work the road, neither could any one else, and then we should have no road, and still remain liable for our £20,000 annually for ever.

The government of New Brunswick have had the wisdom to begin at the Gulf of St. Lawrence, and have already constructed a railroad from Shediac to the Bend of Petit-Codiac, and they are running their road from St. John to the Bend, as far as possible to secure the trade of the gulf. They at all events must expect their road to pay its working expenses when completed, to the ex-

tent of 110 miles, the distance from St. John's to Shediac. If their road will pay what may we not expect of ours, which is ten miles shorter than theirs? The harbour of Pictou is infinitely superior to that of Shediac, which is difficult of access. They have no coal mine to give employment to their road,—and, sir, if gentlemen would take the trouble of examining the statistics of the railroads of the United States, they will find that the best paying railroads are generally connected with or employed in the transportation of coal, tobacco, cotton, flour, and other such commodities.

We cannot expect that we shall come into connection with Canada by railroad for many years. As the intermediate country becomes settled and improved, the railroad will advance towards us from Trois Pistoles; it must not be expected to precede, but to follow, improvement and increase of population. We must therefore run our railroad as soon as possible to the Gulf of St. Lawrence, and the coal mines of Pictou, and I shall endeavour to point out some of the innumerable advantages of opening up that communication.

Let me invite your attention to the coal mines of the county of Pictou; they are probably as productive as any coal deposits in the world, and the coal itself is probably of a superior quality, when the various purposes for which it is suitable is taken into consideration, to any other coal that has hitherto been discovered. I believe the stock of the Association stands high in the market, and the shareholders are receiving ample dividends. The usual freight from Pictou to Halifax is generally I believe about 7s or 8s a ton. At present the company being restricted to a water carriage, for exportation of a few months annually, the navigation of the Gulf being obstructed for six or seven months, cannot export more than about 100,000 tons annually, and they consequently are enabled to keep up the price of their coal in the American market. This price depending on the relation which supply bears to demand, will of course rise and fall as the quantity sent into the market is either diminished or increased. When the supply exceeds the demand, the competition among sellers lowers the price, and when it falls short, the competition among purchasers raises it. A reduction of price then will increase consumption, and every shilling by which the company consent to reduce their profits, will enlarge the demand for the Pictou coal in the United States. From Halifax to Boston two voyages may be made, for one from Pictou, or even more, as vessels are frequently detained a long time in the Strait of Canso.

I have made some calculations, to show how beneficial the coal trade may become to the Province, should the Legislature have the wisdom to extend the railroad to Pictou. These calculations are of course in a great degree conjectural, as it is impossible for me to obtain an insight into the private affairs of the General Mining Association, the cost of raising their coal, their profits, &c. They are sufficient, however, to prove the decided advantage of extending the road, so as to afford the company an opportunity of shipping coal at Halifax. I may first, however, observe that coal is carried in vast quantities in the United States by railroad upwards of one hundred miles, and I believe the roads engaged in transporting this

valuable commodity, are among the best paying roads in America.

We cannot exactly ascertain the profits at present made by the company on each ton of coal, but it must be considerable, as they sell their coal 12s 6d a ton at the pit, which is much higher than is demanded for coal at the mines on the River Schuylkill above Philadelphia, where the price ranges from 6s 9d and a little over. Now as the labour employed in raising coal must be nearly the same in this Province, or if anything a little less than in the States, where the maintenance of laborers is more expensive than here, the profit of our Mining Company cannot be much less than I have supposed it in the following calculation, for as it is sold at our mines for 5s 9d more than in the States, and it costs rather more to raise it there than here, and the proprietor of the mine there must have his profit, it is not impossible that our company realise a profit of 7s 6d a ton on their coal at Pictou.

The following calculation is intended not to prove the amount of their profits; however, but to show that if the road is made to Pictou the Association may by extending their operations, introduce into the market in the United States almost any quantity they can raise, provided they reduce their price; and that in doing this, they will greatly advance their own interests;—and benefit the Province, by giving to the people a necessary of life, which in this cold climate is indispensable to existence, at a much reduced cost.

Let us then suppose that on the quantity of coal usually shipped from Pictou annually, 100,000 tons, the company has a profit of 7s. 6d. a ton,—this gives their total profit at £37,500. Suppose they consented to reduce the price of coal 5s., by way of enabling them to command a market for 400,000 tons,—this would leave them a profit of only 2s. 6d. a ton; but 400,000 two and six pences amount to £50,000:—so that by reducing their profits 3ds. they have actually increased their gains by £12,500,—the difference between £37,500 and £50,000. Again, if by reducing their profit only one-third that is contenting themselves with a profit of 5s. a ton, they can command a market for 400,000 tons, their profit will be £100,000, or £62,500 more than what they received, when their profit was one-third more, or 7s. 6d. a ton on 100,000 tons.

Let us suppose that our railroad carried annually 300,000 tons to Halifax, a small quantity compared with the million and upwards of ten, carried by railroad into Philadelphia,—this would yield a gross freight to the railroad of £75,000 at one dollar a ton; and let us suppose that the trade of the Gulf yielded a similar amount of £75,000. The road would earn £150,000, which would pay the working expenses from Pictou to Halifax, £1000 per mile—£100,000, and leave £50,000 towards the payment of interest—

Or suppose the coal trade yielded the railroad.....£60,000.  
And the Gulf trade the same..... 60,000.

120,000.

This would pay working expenses.....£100,000.  
And leave for interest..... 20,000.

If we add to the above £50,000 balance for inter-



est, the supposed earnings of road from Truro to Halifax—£25,000,—we have a total of £75,000 to reduce the whole interest as follows :

On cost of road to Windsor and Truro say :

One million currency interest.....	£60,000.
On road from Pictou to Truro	
£400,000.....	24 000.
	<hr/>
	84,000.
Deduct.....	75,000.

Leaving due for interest..... 9,000.

And this without noticing either profit or loss on the Windsor Branch.

If we add the £20,000 balance for interest, on the 2d. calculation, the sum stands thus :—

Balance for interest .....	£20,000
From Halifax to Truro earnings.....	25,000
	<hr/>
	£45,000

Which deduct from.....	£84,000
	<hr/>
	45,000

(Total amount of interest) leaves due for interest..... £39,000

If we stop at Truro, and the roads should clear their working expenses, which they will not do by many thousand pounds annually, the yearly interest will be £60,000, from which deduct the above £39,000, which will remain due according to my lowest calculation, and we have saved £21,000, and all the thousands which will be lost on the working expenses of the roads, which if they amount to the sum I have conjectured they will, will make a difference of £56,000 annually to the province.

Now, sir, if I allow the traffic between Halifax and Truro to pay the railroad £25,000, surely we are warranted in expecting four times that amount from the Gulf trade, and the intercourse the railroad will open up with the ports, which I shall enumerate. The Canadian railroad will soon be finished from Quebec to Trois Pistoles. The distance from Pictou to this place is 470 miles, from thence to Quebec 120 miles, and from Pictou to Halifax 100—making a total of 690 miles. Then, sir, by the railroad we shall be brought into connection with Quebec, Trois Pistoles, Gaspé, Restigouche, Dalhousie, Bathurst, Miramichi, Richibucto, Shediac, Pugwash, Wallace, Tatamagouche, the ports in Prince Edward's Island, Charlottetown, Georgetown, Bedeque, Casumpec, Malpec, the ports of Cape Breton, Sydney, St. Anne's, Louisburg, Arichat, Ship Harbour, Port Hood, Chetecamp and the Gut of Canso, Antigonish, Merigonish, and Gulf Shore, the Magdalen Islands, French St. Peters, and Newfoundland, and the coast of Labrador. I have no doubt that a most valuable trade will soon spring up with these and other ports, which I have not enumerated, and that in all probability a vast quantity of West India and other foreign goods will find their way over our railroad, for the supply of these multifarious markets.

Again, sir, the travelling of the Canadians, and all who are disposed to visit Canada from the Atlantic, for settlement or otherwise, will assuredly be done over our railroad, which will afford the shortest and most agreeable route, for as I have before stated, the distance from Hal-

ifax to Quebec, via Pictou, is only 690 miles, 201 miles shorter than the route via Boston, and 93 miles shorter than that by Windsor, St. John and Portland, which is as follows:—From Halifax to Windsor 43 miles, Windsor to St. John's 120, St. John's to Portland 230, Portland to Montreal 292, Montreal to Quebec 98, in all 783 miles; and it will be borne in mind that while the Pictou route is the shortest, so it is also the safest and most agreeable, as the Gulf, unlike the Bay of Fundy, is always exempt from fogs.

Is it too much, then, to expect the most important results from opening up so splendid a trade as will follow the extension of our railroad but a small stretch of 40 miles beyond Truro to the Gulf and the Mines? And I again ask if we can realize £35,000 from the insignificant trade between a country hamlet and Halifax? Can I be charged with extravagance if I am bold enough to anticipate, as I most certainly do, that the railroad will yield from the magnificent trade of the Gulf at least £100,000, and that the coal trade will yield £75,000 more, a total of £175,000.....£175,000

This would pay working expenses from Halifax to Pictou .£100,000  
And interest on the whole railroad from Halifax to Pictou... 64,000

£164,000

61 miles at £11,000—£671,000 £11,000

—interest.....£40,000

40 miles to Pictou, £10,000—

400,000—interest..... 24,000

£64,000

Which would leave towards Windsor Branch or any other service the above balance of £11,000.

These calculations I consider moderate and reasonable in the extreme; if I have set the working expenses at a high figure, I have also made ample allowance for the paying properties of the railroad; of this I am sure, that I have not overestimated the advantages to be derived from extending the road to Pictou and the Mines. We had a beautiful iron steamer running all last summer between Pictou and Quebec, and so well satisfied were her enterprising proprietors, that I am told they will add another next summer. Had we the railroad to Pictou, the most animating and active intercourse would be kept up during seven months of the year, with Quebec and other ports in the Gulf by steamers and railroads; all travelling would run into this channel, and I am greatly mistaken, if all the exports from Canada, may not be ready for shipment long before the navigation is closed in the fall.

I know not whether it might not be deemed advisable, that the steamers from England should run into Pictou, which can at all times be approached, as the navigation is unobstructed by fogs, which usually occasions so much detention off Halifax. The mails could be sent from Pictou by steamers to Quebec, and thus we should be no longer compelled to transport them over foreign territory, and the mails and passengers for Halifax and the States, would be carried over the rails in four hours to this city, where a steamer would be in readiness to transport them to their destination. I believe this arrangement would save from 20 to 40 hours, and the steamers

can receive their coal at Pictou, and return direct to Europe.

The proposed railroad would have the effect of increasing our already considerable carrying trade, which is not confined to Pictou, but extends its benefits to Hants, Arichat, Lunenburg, and other counties, which are equally interested in this useful and profitable branch of industry. During the last summer, there were engaged in the Pictou coal trade, no less than 95,384 tons; of these 46,564 tons were colonial vessels, and only 15,652 tons foreign. When the winter sets in our coal vessels are now necessarily laid up. If coal be shipped at Halifax, they will find employment all the year round, and the increased export of coal will probably call into existence an increase of 150,000 tons of colonial ships, built, owned, and manned in Nova Scotia. Foreign vessels cannot compete with our vessels in this trade, as our vessels are built and worked cheaper than those of other countries.

Look at the map, and you behold the Bay of Fundy on one side—the Gulf on the other, and the Atlantic in front of us. If our railroad has reached the Bay, and commands its trade, is it wise to stop, after reaching Truro, three-fifths of the distance to the Gulf? If we carry the road to Pictou, the railroad will have accomplished all what any railroad can possibly do for the Province—it has opened up a complete circulation between the heart at Halifax and all the extremities of the province.

Let me now, sir, in conclusion, briefly recapitulate the advantages to be derived from extending the railroad to Pictou. Should my anticipations in any degree be realized, it will restore to the people their road money, which is of the greatest importance to their welfare, as every gentleman who sits on these benches need scarcely be informed. If we remain as we are, having to borrow the road money last year, and being under the necessity of paying an immense amount of interest, and loss on working expenses, we need not expect many annual returns of road money; and our bridges cannot be restored, nor our roads repaired, unless we fall on some method of re-establishing the road money. This, I doubt not, the road to Pictou will soon accomplish. Again, sir, if the road can be made to pay its working expenses, and all, or a part, of the interest, a proportional relief from taxation will be afforded. The price of coal will be reduced. If that necessary of life can be sold at 10s. in Philadelphia, there is no good reason why it should forever cost from 5 to 8 dollars in Halifax. To reduce it would be a blessing felt from one end of the province to the other. The coasting trade will, as I have shown, be increased, for the carriage of coal, 150,000 tons. See what a coasting trade will be called into existence in the Gulf between Pictou and the numerous ports I have referred to. The road will occasion a stimulus to our fisheries in the Gulf, and no human mind can foresee the extent of the trade it will create, and the blessings it will heap upon the Province in general, and Pictou and the city of Halifax in particular. I now, therefore, with great pleasure move the following resolution:—

“Whereas, it cannot be expected that the trade and intercourse between Halifax and Truro can possibly remunerate or ever pay the working expenses of the Railroad terminating at the lat-

ter place, and it is desirable that a communication by railroad should be opened with the Gulf of St. Lawrence, to command the Gulf trade of Canada, New Brunswick, P. E. Island, Cape Breton, and other places on the Gulf, also with the coal mines at Pictou.

“Resolved—That it is the opinion of the house that the Commissioners of Railroads should forthwith proceed to explore the road to Pictou, and complete the same with as little delay as possible.”

Mr. MARSHALL.—I regret, sir, that I had not the pleasure of listening to the first portion of the speech just delivered by the hon. and learned member for the county of Pictou,—but I entered the house just as he was uttering a most extraordinary statement. He asserts that it is the duty of the government to proceed to construct immediately a Railroad to Pictou. Sir, the government of which I have the honor to be a member, earnestly desired to carry forward with all possible despatch that work; but strong as their convictions are of the benefits which would result from such a construction and desirous as they are of carrying it out, as yet no means have been devised to effectuate that purpose, they can see no way open to them for obtaining the sum necessary. If the hon. and learned member will shew us the way in which he proposes to raise the £500,000 necessary, and also, the source from whence the annual interest, amounting to some £30,000 is to be obtained without embarrassing our resources—and so crippling the revenue that our road, bridge and education grants will not only be imperilled, but utterly destroyed;—then I will be prepared to go with him. But, sir, I said that when I entered the house he was making the extraordinary statement, “that the creditors of this Province would yet be compelled, because of our inability to meet the demands against us, to accept a compromise for their debt.” I ask sir, if it is by such speeches that the hon. and learned member would establish the credit of this Province, so that her public men may be enabled to obtain the means to carry on our great public works? We have not wealth enough within our own borders to conduct these enterprises,—we are compelled to obtain the money from abroad—though our resources are ample, yet large sums cannot be obtained for works of this kind in the Province. Our capitalists prefer other investments; I ask then, if looking to the attainment of the object which the hon. and learned gentleman professes to have in view, it was wise in him to make such a declaration—a declaration entirely unfounded, but which, coming from a member of this Legislature, must have a baneful and pernicious influence abroad.

But, I ask, is it likely that the Railway system as it at present stands, will prove so ruinous—so disastrous as he would have us believe? I think not. The Windsor branch, besides carrying the Trunk line on its back for six months of the year, paid £1330 over and above the working expenses,—and this too, during the year when the trade of half the world was paralysed. I believe that the hon. member has, by his speech, struck the heaviest blow ever aimed at our Railway system by any hon. member of this house. But what remedy does he propose. If he had said your road has not yet proved a paying spe-

culatation—stay your hands, expend no more money until you have fully tested the result, I could understand him; but he does not take this course, he says your Railway system is ruinous to the country,—the cost of maintaining the road—its working expenses, will amount to upwards of £1,000 per mile, or £100,000 annually, for the line from Halifax to Pictou; and on such a calculation he urges that this house should go on, that the government should borrow the money, if they can get it, and extend the road 40 miles further eastward to Pictou; and how does he propose to make the road remunerative, by drawing to it the trade not of Canada;—St. Pierre, the Magdalen Islands, P. E. Island alone, but of China! Could anything be more futile and unsound? From nothing that has fallen from the hon. member, can this house deduce the conclusion that he has taken either a rational or comprehensive view of this subject.

Now, sir, let me say that it is the anxious desire and fixed determination of the government, the moment it is shewn that the road now constructed will pay its working expenses, and one or two per cent interest—they will feel themselves obliged, in obedience to the pressure which will no doubt be brought to bear on them, to push forward the Railway line to Amherst and to Pictou.

The hon. and learned gentleman thinks, that not only will the Pictou road pay its working expenses and interest, but so boundlessly remunerative is it to prove, that it will hand over above and beyond this to the Windsor line an annual bonus of £10,000. Much of the supposed income of the road is according to him to be derived from the freight of coal. Let me ask, sir, whether the soft rich coal of Pictou will bear shipment and carriage by rail to Halifax, and shipment at Halifax for the United States? I do not believe it will; it is well known that if you put a barrel of fish on board a railway train, and carry it for one or two hundred miles, at the terminus not a drop of pickle will be found in the barrel; the short jerking motion of a Railway is unfavorable for the transportation of these articles. But, even if it could be brought without injuring, I believe it would cost 7s. 6d. per chaldron; it is now conveyed here by sea at a charge of 8s., which leaves but 6d. per chaldron in favor of carriage by Railway, and when you add the cost of unloading and lading at Halifax, the balance would be on the other side. Can it be believed then, that all this traffic in coal is to result from the establishment of a Railway,—when we know that numbers of vessels now load at Pictou, and that coal is transported direct to the United States—and further, that much larger quantities than are now shipped, could be sent there by water, if required.

The argument of the hon. and learned gentleman is suicidal. In one breath he tells you that the effect of the works already constructed, will be to take away your road and School monies, and in the next, advises that the government should go on, and borrow half a million additional; thereby imposing an additional burden on our resources. If it be better to build the road to Pictou at the sacrifice of our roads and bridges, together with our educational system, then, his argument is sound; but I can assure him, that he will have to make out a much clearer case, before this Legislature will consent

to deprive the people of this Province of their road money and the School grant, to make the Railroad from Truro to Pictou, after the great sacrifice that we have made to construct the Railways already made to Windsor and Truro.

Hon. Mr. Howe.—Whatever the hon. Financial Secretary may assert to the contrary, there is running through the arguments of the hon. and learned member for Pictou a purpose and a meaning—which this house would do well to consider. He says you have run a railway sixty miles to Truro, an inland county—that the line will not pay because the local trade is not sufficient to support it;—but, he says, extend it on to Pictou, and the Gulf trade and traffic will be attracted towards and carried over it, thereby making it remunerative. There does not seem to be anything irrational in this. I do not intend making a speech on this question, but I ask that the government should define and designate their policy on the question of railways. I desire to know what the administration intend to do?

Hon. Mr. Young.—I take it that the hon. Financial Secretary came here to day charged with the duty of expressing the opinions of the government, and the line of policy they intend adopting. From what he has said it is clear that the government do not intend making any further advance in extending the railway towards Pictou—and further that they are not prepared to go further west, to Hantsport or elsewhere. I presume that this is the settled policy of the government, and therefore will not make any further remarks on the question at present.

Hon. FINANCIAL SECRETARY had addressed the house as an individual member of the house on a question of public policy propounded by a private member of the legislature, not in the government. The hon. Attorney General and his colleagues would answer for themselves on the subject.

Hon. ATTORNEY GENERAL.—The government have considered and still consider that the motion before the house is premature; it is within the knowledge of hon. members on both sides that full surveys for ascertaining the location and for obtaining information absolutely necessary, before any government could commit itself to the construction of the line to Pictou, as to the probable cost per mile were in progress. Until that information is before the house it is not in a position to form an opinion, and any expression of opinion as to its policy or intentions would be premature. Therefore, sir, although the government is most anxious that these works should be carried on, yet at the present moment they are not so situated that they can give any definite indication of their subsequent conduct.

Hon. Mr. Young.—What I desire is, that the government should propound their policy. I ask if it be their intention during the recess to proceed with the railway to Pictou East or Hantsport West? I desire to know whether they are prepared to expend anything beyond the million?

Hon. ATTORNEY GENERAL.—If the government had waited until next session to make their surveys, a charge of want of energy as respects these works might with justice be preferred against them. They have taken however the utmost pains to inform themselves on the subject, and ardently and anxiously wish and desire that the circumstances of the province would permit them to proceed with these great public works. But

sir, under present circumstances, in the absence of necessary data, the Executive are not prepared to proceed with the construction of the Pictou road during the present year.

After some further desultory remarks, the house adjourned.

WEDNESDAY, March 2.

THE McLEAN RESOLUTION.

After the transaction of some routine business.

Hon Mr. YOUNG rose and said:—I do not intend, Mr. Speaker, in the motion I am about to make, saying one word calculated to promote or excite party feeling. I intend putting the points of this case to the House, on those sound general principles of legislation, which in my view ought to govern our action. The resolution which last night I laid on the table, may be overturned by a party vote; a Nova Scotian, by the pressure which the government can bring to bear on their supporters, may be debarred from explaining away an attack made on his integrity—an impeachment of his honor as a public officer; but if this be the result it shall be no fault of mine.

The resolution I have proposed, goes to permit Roderick McLean, late Sheriff of Cumberland, to appear at the Bar of this House, and there make certain explanations touching his dismissal.

It will be perceived, therefore, that he does not ask to be permitted to make any reference to statements made in debate, or to anything that may have transpired in this House, and therefore there can be no argument urged in opposition to his request, upon the ground that the privileges of members or the rules of the House will be infringed.

That the charge made against Mr. McLean impeaches his integrity and truth cannot for an instant be doubted—for it has been alleged by the Provincial Secretary in his published speech that Mr. McLean has sworn to that which is false, knowing it to be so.

It may be said that the Petitioner has his redress in law; is it so? If he proceed against Mr. Morse the Prothonotary, he must prove that that officer has sworn to that which is false, knowing it to be false. This, under the circumstances, it might be impossible to bring home to that officer, so as to satisfy the mind of a Jury. I do not say what course may hereafter be pursued; I look to the question at present, in the light of a member of this House, not as a Counsel, and I at present believe that in answer to an indictment for perjury, it might be contended by Mr. Morse, that whether true or false, his statement was a privileged communication, and therefore, a charge of perjury could not be upheld. Looking to the whole circumstances of the case, is it not just and proper that Mr. McLean, slandered and calumniated as he has been, should have an opportunity of vindicating his character, and putting himself right before the country. If allowed to come to the Bar, any question that may be put to him by any member, he will be compelled to answer; this in strictness should be done through the chair, but in our practice this course has never been pursued.

Now, sir, during the period that I had the honor of filling the chair in this House, this privilege was asked several times, and I, in the performance of my duty, turned my attention to a

number of English precedents. In the mother country, whenever a measure is before the house involving private interests, parties concerned are allowed to be examined and give explanations, either in person or by counsel. Now, sir, founded on this case, the government have introduced a bill relating to the appointment of Sheriffs. I draw this inference from the fact that the hon and learned Attorney General intimated that on the second reading of the bill he would make certain explanations with reference to this very case of Mr. McLean.

As to the precedents—in the first place, it is laid down in May's Parliamentary Practice that the House of Commons has the right of summoning and examining witnesses at the Bar, not under oath, in which respect the practice of the Commons differs from that of the House of Lords.

I refer to the Journals of the Commons, vol. 88, page 101, for the case of the Mayor and community of the borough of Carrickfergus.

In vol. 90, page 587, it is stated that the East India Company petitioned to be heard, and were heard by counsel at the bar of the House on Mr. Buckingham's bill, claiming compensation from them.

Mr. Roebuck, in 1838, was heard against the Canadian Constitution bill; and Mr. Burgess was twice heard at the Bar of the House against the Jamaica Law. It is quite clear, then, that in the English Parliament the practice is to hear parties by counsel or otherwise, and examine witnesses on all questions touching the policy of particular dependencies or individual claims.

Now, let us look to our own example: On the 20th March, 1811, the late Andrew Belcher, having a peculiar claim against this province, applied to be heard at the Bar, and on the 22nd of that month he was heard in support of his claim. Here, then, by our own example, we find that, in a question of pecuniary compensation only, of a thousand times less consequence than the character of a man, Mr. Belcher was allowed the privilege which we now claim for Mr. McLean.

Again, sir, in 1819 the firm of Moody & Boyle applied for relief against the operation of the Insolvent Laws, and Major Barrow was heard at the Bar in opposition to them.

In 1832 the great question of the Pictou Academy was before the country, and I find that on the first of March, Dr. McCulloch on the one side, and the Rev. Mr. McKenzie on the other, were heard at the Bar.

I had the honor on that occasion, now twenty seven years ago, to appear at the Bar as counsel for the Kirk party, who had entrusted their interests to my care.

The next example I find is that in 1839, and I invite attention to this precedent. The Governors of Dalhousie College, a body holding their commission from the Crown, not having appointed the Rev. Dr. Crawley one of the Professors, I find on page 522 of the Journals this statement: The order of the day being read for the second reading of the bill to incorporate Queen's College, Ordered, that the Rev. Mr. Crawley be heard at the Bar of the house, in support of said bill. On a previous day he was heard at the Bar, with reference to the reasons assigned for his rejection by the Governors.

Here, then, on a question not involving cha-

acter, but the reasons for and against an appointment, the party was heard at the Bar. After this, on motion, the then Treasurer of the province was heard at the Bar (being one of the Governors) in opposition to Mr. Crawley.

The next and last of these references I find on the 17th Feb'y, 1854, and I think the hon and learned Attorney General, as is very often the case, will have some difficulty in reconciling his course then with that which he has intimated his intention of pursuing in 1859.

Hon. Mr. JOHNSTON moved that the House do come to the following resolution, viz. :

*Resolved*,—That this house will, on Thursday, the 23rd day of February, instant, permit the Rev. Dr. Cramp to be heard at the bar of the house, touching the legislation before the house on the subject of regulating or restricting the sale of intoxicating liquors within this province; this house being impressed with the deep importance of the subject to the highest interests of the people.

The Hon. Mr. Henry moved by way of amendment, that the house do now resolve itself into a committee of the whole house on the general state of the province; which being seconded and put, and the house dividing thereon, there appeared, for the amendment, fifteen; against it, twenty-eight—so it passed in the negative.

The original resolution was then, upon the question put thereon, agreed to by the house.

On the 23rd Feb'y., the friends of Temperance, not content with this triumph, wanted to go a step further and approach the bar in a body along with Dr. Cramp, which the house declined sanctioning, and afterwards heard the reverend gentleman deliver a very interesting lecture in Temperance Hall.

Hon. Mr. HENRY—With the exception of one.

Hon. Mr. YOUNG—Well, perhaps the hon. and learned gentleman did not go; but allow me in conclusion to say, that I have endeavored to put the case before the house on its own merits, apart entirely from party. He is, in his own country where he is best known, considered to be a man of the highest respectability and integrity. I ask my hon friends from Amherst and Colchester, to say whether the slightest shadow of a stain rests on the character of Roderick McLean? He requests that eye to eye, face to face, with those who have unfairly and unjustly dismissed him from office, an opportunity may be afforded him to vindicate his character as a public officer. He desires to be placed at that bar, to undergo the most searching and critical examination of his acts. If the gross violation of principle which the government displayed in the dismissal of that officer, is to be followed up by their bringing party action to bear to prevent his being heard in his defence, I have no hesitation in saying, that the people of Nova Scotia will rightly judge if they attribute the course pursued by the administration to the fear they must entertain that the act, if properly investigated, would meet with the just censure of this house.

Mr. SHAW.—The argument of the honorable and learned member for Inverness, even if tested by his own acts, falls at once to the ground. A few years ago I was one of over a hundred magistrates dismissed by the liberal administration of the day. I made application to obtain the reasons for my dismissal, and received in reply the answer that the government did not deem it ne-

cessary to state them. I do not see why a dismissed Sheriff should be treated with more consideration than a magistrate; and if every magistrate then summarily discharged had been heard at the bar, the time of the house would have been occupied for years in investigating the cases.

Hon. ATTORNEY GENERAL said:—I should be sorry to believe, sir, that a majority of this house could be found to support the resolution of the hon and learned member for Inverness, because I believe that the precedent he would establish would materially interfere with the privileges of the house. I listened with great curiosity to hear how he would sustain an argument so utterly devoid of precedent—adverse as it is to all parliamentary usage. Assuming, only for the sake of argument, for I deny the statement, that McLean has been injured in his reputation, I ask if that is sufficient to justify his admission to the bar of this house. Is it the usual, the constitutional course for every man, whose conduct as a public officer has been impugned, to ask to be heard at the bar. The hon. gentleman knows right well that in England such an application would not for an instant be entertained. Let me tell him what the cases are where in England this privilege is conceded. He says the Mayor and Aldermen of Carrickfergus were permitted to be heard against a bill affecting their privileges; it will be at once perceived that in that case the commons had before them something on which they could adjudicate, constitutionally.

Hon. Mr. YOUNG—Such is the case here.

Hon. ATTORNEY GENERAL.—I am going to show that it is not so here. In the case of the East India Company the individual rights of that great commercial body were in controversy, and there also was a question before the house for decision. So also with the bill relating to Canada. It will be perceived, therefore, that the English precedents cited do not at all touch the case before us. Now, with respect to Mr. Belcher's claim on the province, the house was called to decide whether he was or was not entitled to it. In the Pictou Academy case, two parties disputed as to certain matters relating to that seminary, and this house had to decide between them. As to the case of Mr. Crawley, I think the hon. gentleman was mistaken when he stated that the application was made by Mr. Crawley on account of an injury done to or suffered by him. I believe he complained that Dalhousie College was claimed to be an exclusively Presbyterian Institution, whereas in his opinion it belongs to the whole province, and it was, unless I am entirely mistaken, to decide this point that he asked to be heard at the bar.

The last case to which the hon gentleman referred, stands on the same principle. The Temperance question was before the country—parties both within and without the House were divided on the expediency of passing the Law, and therefore there was a question before the House for adjudication. In moving the resolution which I did, that Dr Cramp should be heard at the Bar on that subject, I thought and still think my act justifiable. It will be perceived, therefore, that in every precedent, English or Colonial, to which he referred, there has always been some question before the House upon which hon members were required to pass. In the present case nothing of the kind exists,—the charges preferred against Mr. McLean having been in-

vestigated, were submitted to the Judges, whose duty it was to sign the list of Sheriffs—the Chief Justice refused to sign the list if Mr. McLean's name was included in it—he was struck off from the list of Sheriffs; if upon unfounded and untrue charges made under Oath and in writing, he has his remedy at law. But whatever course he may take—be his dismissal justifiable or not, there is nothing before this House upon which hon members can be required to adjudicate—because Mr McLean could not be reinstated without the consent of the Chief Justice, whatever action this House might take. You will therefore perceive, Sir, that this case does not come within the principle of either of the precedents cited by the hon and learned member for Inverness; he felt the force of this argument, and therefore, Sir, attempted to make the Sheriffs Bill lately introduced, a pretext on which to found his resolution,—but the commonest understanding must at once perceive how fallacious such an argument is.—That is a general measure applicable to the whole Province, neither touching Mr McLean's private rights, or affecting him in any respect, and if this be the case, by no stretch of imagination or force of construction can that bill be connected with his dismissal. Mr McLean's name has been omitted from the list of Sheriffs, whether rightfully or wrongfully I will not stop to enquire. Can this House undo that act? Surely not.—Where then is the necessity, what the object for the admission of Mr McLean to the Bar of this House. If we permitted such an unjustifiable infringement of the constitution of this House—and perpetrated an act so contrary to all parliamentary law and precedent, we should set an example, which in the future would be productive of most injurious consequences. I shall therefore oppose this motion.

Hon. Mr. Howe.—I would be prepared to offer to the house the few observations I intend to make on this question, but I understood from the hon. Attorney General that he was prepared to go into the whole case of Mr McLean.

Hon ATTORNEY GENERAL—I am quite prepared to do so, but it is scarcely worth while to mingle together two subjects so entirely dissimilar.

After some further remarks,

The Hon ATTORNEY GENERAL said—Well, Mr Speaker, since it appears to be the desire of hon gentlemen that I should take up the whole question, I have no objection to do so. By a law of this province, repeatedly adverted to during this debate, sheriffs are nominated and appointed by the Chief Justice and another Judge of the Supreme Court, together with two members of the Executive Council; unless these four concur, you can have no Sheriffs for this province. As regards the case of Mr McLean, I may observe that a variety of petitions were sent to the Government, and several to the Chief Justice, praying for the removal of that officer, and the re-appointing of Mr. Chandler; some prayed for his removal without mentioning who was to succeed him; and others asked for his retention in office. Now, sir, these petitions contained no special charge against Mr McLean, and therefore the Government adhered to the principles they have always propounded, and took no action upon them; and it was not until the memorial which has been repeatedly referred to in these discussions, was presented,—and even then I had

made up my mind to take no present action,—until it was found that Mr McLean, instead of admitting the irregularity complained of, and that the endorsement had been made (as it might have been) without thought, came in and met the charge preferred against him with a distinct denial of a charge positively sworn to by an officer of the Court,—I then felt that it was necessary to take some notice of it. The case then assumed a magnitude and importance that had not previously attached to it. It will be recollected that the complaint against the Sheriff is, that he lent himself to a gentleman in Amherst to force from a party the revocation of some bargain; and that he went to the house of the defendant and either arrested or threatened arrest, under an execution which, in fact, was not then in his possession. Now, sir, it is distinctly sworn that when the arrest was threatened, the debtor demanded to have the execution exhibited to him, which was refused. The arrest was made at 5 o'clock in the evening, and the Prothonotary of the Court alleges distinctly that he did not issue the execution until 7 o'clock—of which he is convinced from the fact that he was obliged to light a candle in order that he might see to sign the Execution.

Our judgment was, that Mr. McLean's statement was not entitled to be credited in comparison with that of Mr. Morse; but we determined to leave the subject for the adjudication of the judges. The Chief Justice said that he believed the statement of Mr. Morse, and that he would not sign the list which contained the name of Mr. McLean, in consequence of the two charges made against him. An attempt of the government to coerce the Judges was spoken of; nothing was more untrue. We had not the power to do so. Neither did we shrink from responsibility and throw it on the Judges. I have stated what our opinion was,—but that did not prevent the recommendation of petitioner as Sheriff; we did not try to make that opinion obligatory on the Chief Justice; on the contrary, we left the responsibility, as that of a judicial act, to the Judges. When the Chief Justice gave his opinion, the matter was concluded; if the opinion was different, I know not how we could have invalidated it. Mr. Justice Bliss differed from the view of the Chief Justice—and, far as I recollect, he was the only Judge who did express that difference,—although I know that Judge Wilkins adopted the same view. It would be a mistake to suppose that Judge Bliss founded his opinion on the merits of the case; he differed because of the fact of there being three affidavits to one. He remarked that, in court, he would not conclude a person guilty on such testimony as that with which the Chief Justice expressed himself satisfied, on the ground that the one deponent was disinterested, and the three were supposed not to be. On the following day Judge Dodd concurred, and signed the list, taking the view that if he did not, the county would have no Sheriff for the year. I do not say that he concurred in the view of the Chief Justice, but because otherwise there would be no Sheriff for the county for the year, he signed the list.

It has been intimated that there was some dissingenuousness in stating the case previously; but there was none. When the member for Inverness moved for a vote of want of confidence, he referred to the case, saying that the removal

had occurred on paltry grounds, and spoke of other similar transactions as having taken place during the recess. I treated all the cases alike; the papers were not before the house; I did not intend to go into details, but to make answer to this effect: "The member for Inverness has charged that the removal of Mr. McLean took place on paltry grounds. Does he not know that the act must have had the concurrence of the Chief Justice and another Judge, and can he suppose that paltry grounds would have been sufficient for them?" The reporter made me speak differently, but that is what I intended to say, and I explained the inaccuracy at an early opportunity.

From observations made, the Provincial Secretary was led to go at large into the question. I read his speech as it was printed, and considered that it was a simple and accurate statement of what had occurred. In consequence of a communication in the *Morning Chronicle*, Mr. Justice Wilkins spoke to me, and gave me to understand that he had communicated with the member for Inverness on the morning of his speech, but that he had said nothing to warrant the deductions in the newspaper. I saw Judge Wilkins when the speech of the Provincial Secretary was before him, and he concurred in the accuracy of the statement. I also saw the Chief Justice in reference to another observation in the newspaper, to the effect that he would not have signed the list if he were aware that Mr. Morse had petitioned for Mr. McLean's removal. I received a note from the Chief Justice on the following morning; and I received one from Judge Bliss also, and it may be only fair that both should be read now—

"My Dear Sir,—By this morning's paper you are reported to have stated in the house in reference to the case of Sheriff McLean "that the charges against him, which were fully substantiated, had induced the Judges who investigated them fully, to concur in the propriety of his dismissal." The Chief Justice alone of the whole bench, as you are aware, expressed any such opinion. My own was very strongly opposed to it: as I thought the case before us did not justify such a course, and I accordingly declined to sign the list from which his name was omitted.—It was subsequently signed by Mr. Justice Dodd for a very different cause.

"I have abstained from ever speaking of this, out of delicacy to the Government; but I am not disposed to have imputed to me an opinion contrary to that, which whether right or wrong, I then held and still hold: and such seems implied in the report of your speech, which is certainly inaccurate as to the views of every one of the Judges, with the exception of the Chief Justice. I am, my dear sir, yours very truly,

"W. B. BLISS.

"Fort Massey, Tuesday, Feb. 8.

"The Hon. the Attorney General"

During the reading of the above note, Mr. Young remarked that that was stronger than he had said, or than he thought that the Judge had said. The Attorney General replied that he had already stated Judge Bliss's opinion. He would now read a note he had received from the Chief Justice—

"February 22nd, 1859.

"My Dear Sir,—I recollect that Mr. Pineo called upon me a few days after the Sheriff's were

appointed, or rather after the meeting of the Legislature, and as a Cumberland man I talked with him upon the subject of the removal of Sheriff McLean. He first mentioned the circumstance of the Prothonotary's having petitioned for his removal, with which I was before unacquainted, and I told him so; but he must have misunderstood me if he thought I said if I had known that, I should not have consented to his removal,—for I really did not know at the time what effect that knowledge would have had upon my mind, and upon reflection I think I should have acted as I have done. The Sheriff and the Attorney were both implicated in the charge. The Attorney's Clerk, under influence, if disinterested,—a lad of some 15 or 16 years of age, and the son of the Gaoler,—made an affidavit, which was contradicted by the Prothonotary, who swore to the strong fact of his being obliged to light a candle in the month of August to enter the issuing of the execution, at a late hour, which rendered it impossible for the Sheriff to have had it with him at the time when he says he went to take the party. Why did he not take him? If he had the writ, it was his duty to do so; if he did his duty, and allowed him to remain afterward in his own house, it was a voluntary escape, and he had no right to take him afterwards. Under these circumstances, I conclude that the Sheriff had not the writ at the time, and if so, what follows. He has sworn that he had it. Can I recommend such a person to be continued as Sheriff? I am aware that strong party feelings prevail in Cumberland, but I cannot think that a man of Mr. Morse's standing in the community would, to gratify his political feelings, without any personal interest at stake, swear to a deliberate falsehood,—and I find his statement not only strengthened, but in my opinion confirmed by the Sheriff's not taking the party. I do not recollect having conversed with any other person than Mr. Pineo upon the subject. My son was present at the conversation. I now put you in possession of the facts as they impressed themselves upon my mind.

Yours truly,

BRENTON HALLIBURTON.

*The Honble. the Attorney General.*

HON. ATTY. GEN.—The member was under a mistake, if he thought that I intended to keep these circumstances back. I acted in that debate as in others, waiting for the papers to be brought to the house.

HON. MR. YOUNG—The letter from Judge Bliss I did not see; but being aware of its existence, I thought the Attorney General should have produced it in his second speech, which preceded my closing remarks.

HON. ATTORNEY GENERAL—No; I did not intend to go into the subject at large, until subsequently, when I would have presented them whether papers were called for or not, and would have gone into the requisite explanation. Let me advert to the peculiar position we occupy, in discussing any effect produced by these papers on our minds. I may not be able to convince gentlemen of the impression on my own mind; but my disposition was to reappoint Mr. McLean, and this view was rather strengthened by the petition against him; finally, however, I was led to the belief that the statement which he contradicted was true. How then could I recommend him to such an office, not only after

the irregularity charged, but when his statement had been controverted and denied. On that impression I would have acted if I had the power; but the responsibility was thrown on the Judges. The Chief Justice said determinately that he would not put his hand to the list with Mr. McLean's name attached. Whether he was right or wrong in adopting the statement made against that officer, that was the view arrived at; and therefore the hesitancy of entering into this on its merits. It must not be supposed that this case rests on one affidavit merely—there are many corroborating circumstances. The origin of the transaction rests on the allegation of Mr. Hunter, concerning the transfer of a horse. One singular fact is, that although Mr. Hunter describes their coming to him about the recanting of the sale, when Mr. Morse, junr., who sought for the return of the horse, is questioned, he declines to give any statement of his part in the transaction, affecting to treat it lightly. But why does he refuse? The charge is that he and the Sheriff went with the intent stated, and the Sheriff deutes. Will any gentleman, however, hesitate to say that the impression on his mind is that they went for the purpose of inducing the return of the horse? Mr. James Morse, in whose name the execution appeared, stated that the process had been issued without his knowledge. The Sheriff and Mr. Clifford Morse may be supposed to have gone without the document, for the purpose of intimidating the party merely with a threat of the execution, and therefore the document may not have been deemed necessary; it does not appear that they intended at the time to levy it.

If the Execution were in possession, the party was either arrested or he was not. That an intention of arrest was sought to be impressed on the mind of Mr. Hunter, there is no doubt. Bail was spoken of: their own Attorney was there, and the Sheriff should have known that he could not take bail on such a process; but Mr. Hunter was to come in the morning—giving bail meantime. Was that not like an attempt to intimidate? Another corroboration is, that Hunter swears he asked for the production of the Execution—that the Sheriff said that he had it, and drew out two papers, but refused to allow examination of the document. The Sheriff denies the question of Mr. Hunter as to the execution; but Hunter's statement is corroborated by that of his brother, who was present, and swears that he saw the two papers produced, although he admits that he was so far off that he did not hear the conversation. On the following day Mr. Hunter went to the Prothonotary to inquire whether an execution was issued. Why did he so act, unless circumstances threw suspicion around the transaction? and why was Mr. Morse, the Prothonotary, induced to say that the paper had not been issued until 7 o'clock on the preceding evening? He knew nothing of the particulars of the occasion at the time, and we know of no motive why a wrong hour should have been stated. When we find an officer of the Court, uninterested in the affair, making an affidavit confirmatory of a statement made on the day following the transaction, it will require much reasoning to suppose that he was not correct. I believe he was, and that leads to the conclusion that the Sheriff was not; and in that conclusion the Judges and the members of the Executive Council were justified

in not appointing him to office. The law of the land had fixed the authority by which Sheriffs are appointed; and whether right or wrong in his impressions, the Chief Justice acted according to the law when he refused his consent to the recommendation of Mr. McLean, and this house has to be content with the determination arrived at.

As to an alleged concealment of the circumstances, that the Prothonotary had petitioned for the removal of McLean. I could not bring the fact before the Chief Justice, for I was not aware of it at the time;—but that was of little consequence; he would be Sheriff to-day only for the charges brought against him. The impressions on my mind, and on the mind of my colleagues, were made subject to the superior adjudication of the Chief Justice, and he having determined that he would not put his name to the list, the matter came to a conclusion, and he, Mr. McLean, was removed. I can only say, as far as I was concerned, that I acted in strict conformity to the rule which I had laid down and announced, not to disturb officers, and more particularly Sheriffs, except on charges made. With such charges as those against Mr. McLean, I thought it not right to recommend him for re-appointment. If the Chief Justice, however, had concurred with Judge Bliss, the subject would have been settled accordingly. We agreed with the Chief Justice, and the list was adopted in which Mr. McLean's name was omitted. The mode of proceeding now proposed, is not expedient;—it is not competent for the House to come to a conclusion militating against the decision made. To entertain the question would not be desirable, either as regards the business of the House, or the opinion of the country.

Dr. TUPPER.—I would remind the House that when Sheriff Chandler was turned out to make room for Mr. McLean, he had no cause assigned—no hearing—no redress, and the hon member for Inverness had admitted that it was contrary to the wishes of the Judges. That was all right in their eyes then. Mr. McLean had been furnished with the complaint against him—had had every opportunity of reply given.

Upon a careful review of the testimony on both sides, the parties entrusted by the law with that duty had come to the conclusion that they could not recommend him. The case had been brought forward by the leader of the opposition, discussed at length, all the facts stated, and yet the house had sustained the government. Was it not then idle to waste the time of the house in asking hon gentlemen to stultify their own action on this matter? Was it not worse than idle, with the letter of the Venerable Chief Justice before them, declaring that his opinion then and now was such that he could not recommend Mr. McLean? It was not the Executive alone, but the Judges they were proposing to try at the bar of the house.

Reference had been made to Judge Wilkins by the hon member for Inverness, but I would inform him that I read over my speech to that gentleman on this matter in the presence of the Attorney General, and that Judge Wilkins stated it to be strictly correct, as far as the facts were within his knowledge. Under what pretext then can gentlemen opposite claim the attention of the house? Mr. Young had advocated Mr. McLean's case far better than he could do it for himself. I will not say he is retained with money, but perhaps there was some inducement to



exertion held out which was equally potent. A fortnight had already been consumed by the opposition in making electioneering speeches, and they seemed to think the house was intended for nothing else.

The hon member for Inverness, a week ago, had talked very loudly about a prosecution, but he seemed, after learning the particulars, to have come to the conclusion that McLean was not likely to be able to vindicate his character in a court of law.

He has that open to him—he has the press of the opposition ready to say anything in his favor, without being over nice about the facts; and yet he must come here where he is not to be sworn or have any one to confront him.

No man knows better than Mr. Young that once establish such a precedent here, and there will be no opportunity to do the legitimate business of the Legislature.

Mr. Young having broken down in his attempt to shew any precedent to the proposed course, which would turn the Assembly into a court for mock *ex parte* trials has so far forgotten himself as to bring forward the *private* character of Mr. McLean,—with that the house had nothing to do, and it should not have been introduced at all events. Mr. Young had better learn whether Mr. McLean was willing that everything touching the statements from the county, respecting his private character, should be brought here. He would probably find that such references were better left alone in the Legislature.

Mr. ARCHIBALD said—Had the government taken the open, manly course—had they dismissed Mr. McLean upon the ground that he was a political opponent, and justified the act on that ground, I could understand them—but instead of this, upon a trumped up charge, affording a mere pretext for their action, they deprive him of his office and brand him, by giving preference to the circumstantial testimony of the Prothonotary, rather than to the direct and explicit declarations of Mr. McLean. What does he now ask? Not that the government should reverse their decision as respects him, and reinstate him in office, but simply that an opportunity should be afforded him of justifying his conduct in the face of the country. He wishes to wipe out the stain that has been cast on his reputation—in the most open and public manner possible.

(The hon gentleman here referred to the circumstances detailed in the affidavits, and then went on to say)—

To suppose that the parties have not told the truth, is to suppose them guilty of most aggravated perjury. What is the case at the other side? The affidavit of Mr. Morse tells you that next morning an inquiry being made as to what time he signed the document, he answered that about 7 o'clock the evening before. I do not say that he does not believe the truth of his statement; but what was there to fix the exact hour on his mind? He answered that he did not know who the defendant was; and the only circumstance to determine the hour was, that he had to light a candle to make the entry. If so, how did he happen to sign the instrument without a light? Is it not likely that he signed at the hour named by the Sheriff and the witnesses; that he neglected to make the entry at the time; and to do so subsequently, did light a candle—thinking next morning that the entry was made

immediately after signing? This might be accounted for the difference in the affidavits. Where affidavits may be reconciled, they should be.

One party had the means of checking the opinion formed: the other had not. Without ascribing improper conduct or intention to Mr. Morse, I only come to the one conclusion—that the execution was signed at the hour named by the Sheriff. If so, he has been dismissed on the statement of a single deponent, whose memory, at his time of life, may be expected not to be very tenacious, and who is not known to be very correct; while three others swear to the reverse, and their testimony is corroborated by a fourth party. Under these circumstances, how can any mind come to any other conclusion than that the charge was not sufficient to occasion his dismissal? If the removed officer be not in a position to obtain remedy in a Court of Law, the greater reason is there that he should be heard before the House. To go into a court of Law for damages, he would not only have to prove that he had received injury, but that the party who inflicted the injury knew that he was doing wrong. Mr. Morse may have believed what he said; but can there be any doubt that Mr. McLean was dismissed on insufficient grounds?

Mr. TOBIN—It would appear from the way in which facts have been detailed for the defence, that the execution was signed at 5 o'clock, but how could the Sheriff and Mr. Clifford Morse be with Mr. Hunter, five miles distant, at the same hour?

Mr. ARCHIBALD—It is not sworn that they were there at 5 o'clock, but between 5 and half past.

Hon. Mr. YOUNG—Mr. Hunter swears that they were there at half past 5,—but the Sheriff says half past six.

Mr. TOBIN—All parties are at issue on a question of fact. None are agreed as to the hour, the most important feature in dispute.

Hon. Mr. YOUNG—The hon member has not read the affidavits.

Mr. TOBIN—No, but I have heard the statements. It is said that the document was issued at 5 o'clock, and that the parties were with Mr. Hunter at 5 o'clock. (Cries of no)

Hon. Mr. HOWE—I move that the house adjourn. Let me not be reproached with a disposition to waste the time of the House. The course I proposed would have saved time. I say to the Provincial Secretary, as he made a charge against the Opposition, of discussing questions without papers being on the table, it was hardly to be expected, that now, when papers are here for a first time, debate was to be complained of or prevented. I know of no charge against the private character of the Sheriff, though I understand that the Provincial Secretary intimates that he is going to try it. If the gentlemen opposite mean to do what it just, let Mr. McLean come to the bar, let the House see the petitioner, let us see whether he bears the aspect of a man of sobriety and good character. The question thus, might not, perhaps, occupy more than 20 minutes, which may otherwise occupy part of two days.

Hon. Mr. JOHNSTON—The course proposed is considered inexpedient, and not in accordance with the constitution and practice of the House. The debate was adjourned.

THURSDAY, March 3.

## THE McLEAN RESOLUTION.

Hon. Mr. Howe said—I was prepared some time since, Mr. Speaker, to have made some remarks on the resolution moved by my hon. and learned friend from Inverness. The debate has been adjourned so often, that I have now almost forgotten everything I had to say on the subject. As, however, hon. members seem inclined to devote the afternoon to the discussion of this Resolution, I shall endeavor to collect my thoughts, and in all frankness state the question as it lies in my mind. The hon. member for Inverness gave us a long list of persons who have been permitted both here and in England to appear at the bar of this House and of the House of Commons—but there was one case to which he did not refer. Captain Jenkins, an English mariner, was met on the high seas by a Spanish Guarda Costa—hung up to the shrouds and treated with infinite cruelty; many years afterwards he was allowed to appear before the House of Commons, and the sight of that mutilated English mariner, with his ear which had been cut off, rolled up in cotton, so wrought upon the feelings of his countrymen that they declared instant war against the Spanish nation. If then, sir, a man who had only been injured in his person was allowed to appear at the bar and tell his story,—shall we, when a Nova Scotian's character has been damaged,—when that which is dearer to him than life has been blackened and injured—refuse him the only solace and consolation we have the power to bestow, that of vindicating himself in the eyes of the world from the reproaches cast upon him?

That privilege the government would deny to McLean—because the administration feel that if he were allowed to make his appearance here and tell his own story, they, and not he, would be placed at their trial before this people,—and therefore, the power of this government is to be brought to bear to repress inquiry.

But, sir, gentlemen at the opposite side are not bound to support every act of government, though they may resolve to sustain it generally. At the present opportunity they are free to admit the petitioner to the bar, if they believe that course in accordance with fair dealing;—they are free to censure the government in reference to his removal,—while they may intend to uphold it on general policy. Let us look at the question as it appears before the House. The member for Inverness has moved that a certain person be permitted to come to the bar. If the hon. member, however, wanted to make an impression on the public and the House, he might easily have extended his proposition. If he had moved that all those be heard whom the administration have turned off with loss of bread, or of character, or of both, those who have been accused of something disreputable, from the Rev. Dr. King downwards, and who therefore, are in a condition to demand redress and reparation, for honor stained, or injurious imputation cast, he would have an array which could not be accommodated at the bar of the House, an army of martyrs, rarely assembled in our colonial history. But the member for Inverness has confined his motion to the case of Sheriff McLean,—and what is that?

Mr. McLean was appointed to office a year or two ago, and he served the country, apparently, to every body's satisfaction, until about mid-sum-

mer of the past year, when complaints were made while the Provincial Secretary was in England. One document which has been referred to, is not among the papers on the table—as I have heard it described, it ought to have weight on the minds of gentlemen at both sides of the house. I allude to a memorial signed by two or three hundred partizans in Cumberland, and sent to the Provincial Secretary, giving him notice that if Mr. McLean were not dismissed, they would vote against Dr. Tupper at the coming election. In that remonstrance, the first paper of the series, the hon member is openly threatened with defection from his supporters, enough to destroy his seat in the house. If that threat was made, as I have reason to be assured it was, it forms a most significant point of departure in this discussion. Next we have a petition sent to the Executive, requesting—not that Mr. McLean be turned out, but that Mr. Chandler be restored to office, which of course could not be, without Mr. McLean's removal. That is on the table of the house, and attached to it I find the name of Mr. Silas H. Morse, the Prothonotary of the Supreme Court in that county. Some things occur in Cumberland which do not happen anywhere else. What would be thought, if Mr. Nutting, the Prothonotary here, were to sign his name to a partizan petition sent to the Lieut Governor, for the purpose of having Sheriff Sawyer dismissed? Would not that be considered an indecent transaction? and for which there is no precedent but in Cumberland;—occurring there it does not seem to have attracted much observation. The next point to which I would draw attention is, that that officer, having committed the gross indecency of signing a petition which had for its object the removal of a brother officer of his own court, subsequently gets up a charge against him, to which he swears, and this effects his removal.—The petition alluded to was not, it is admitted, brought to the notice of the Chief Justice before he decided against Mr. McLean; that fact has been admitted by the Attorney General.

True, we have a note from the Chief Justice, saying that if the circumstance had been brought to his notice, he would not have decided differently. I feel, however, that it was not proper of the Executive to bring that note here, to help them out of the difficulty. I do not think that the name of that venerable officer should be mixed up in this debate. Reference to him, in this case, as to a higher authority in another, might have been spared; and I think if the blame had never been laid on him, the Executive would have stood higher in public estimation. How can Judges, or Governors either, be kept free from political strife if this system is to continue? Suppose, on one day, something occurs to which objection is made, and the members of Council say, "Oh, that is the Governor's act;" suppose something else be disputed, and they say, "The Chief Justice is accountable for that—here is his letter!" I protest against that system, as unjust to the Governor, and unjust to the Judge. It is wrong to draw them into these difficulties, from which the Judges were supposed to be clear when they were withdrawn from the Legislature, and from which, with responsible advisers around him, the Governor ought always to be kept free.

But suppose the Chief Justice was about to decide this case without all the facts being before him, the Provincial Secretary, situated as he was,

should have entreated that officer to withhold his decision, and to give the person charged a fair, manly trial. I think if the fact had come before the Chief Justice, that an officer of his Court had committed such an indelicate act as I have described, it would have surprised him,—would he not have asked what the meaning of such conduct was? First, a petition to turn out a brother officer; and then a trumped up charge against him. The eyes of the Chief Justice are too clear not to instantly detect the impropriety of such a proceeding. If he were a little off his guard at the moment, it appears to me that, in fairness to all the officers concerned, his attention ought to have been called to the circumstance, and he should have been supplicated to pause. I ask the house now, to read the note sent from Judge Bliss to the Attorney General:—

[This note has appeared in another part of the debate.]

If gentlemen at this side entertain a strong opinion on the case, Judge Bliss, it appears, entertains one equally strong. If gentlemen on the other side are disposed to do an act of justice, not at the cost of the government—if any members have any doubt on the question, let them bear in mind that three Judges of the Supreme Court concurred in opinion as against the views of the Chief Justice. What happens in the Supreme Court on any ordinary trial? Suppose on a question of £50 the Judges differ in opinion, would the Attorney General take the Chief Justice's view as decisive against the other three Judges? Is that the mode pursued? I may be told that it is unwise to press this—that no good will be effected by the inquiry. Is that so? May we not so impress this on the minds of the Executive, that such an act will never occur again? If this were to be done over again to-morrow, would they act as they have acted? Will any other officer, after this, be so treated? But in fairness to Mr. McLean, what should be done? Will they deny him the right to come to the bar? Has he any other remedy? He may bring an action against his brother officer, to be tried at Amherst—to be impanelled by the man who has taken his place—and the charge against the Prothonotary. He might as well rest with the loss of office and character, as bring such an action in Cumberland. He might possibly remove the trial to any other county; but I doubt, whether, for a poor man, the remedy might not be about as bad as the damage complained of. At the moment, therefore, the house holds the only available remedy for the petitioner. Shall you deny him, I do not say justice, but a hearing? After hearing him, you can decide whether or not he has a fair case. The precedent may be said to be inconvenient, but the house has the requisite power in its own hands, and may, at any time, restrain the privilege, if abused.

I call the attention of the house to another very significant fact:—A numerous signed petition was sent in under the idea that Mr. McLean's removal impended, and in his favor. The signatures include the names of some of the staunchest Conservatives in Cumberland—men who used strenuous exertions against myself when I stood for the county at two elections. Men of extensive influence, commanding many votes, and supporters of the government, signed in favor of Mr. McLean's continuance in office. That petition was never shown to the Chief Justice. I

enquire, then, of gentlemen at the opposite side, whether they will sustain the administration in an act of cruel wrong; disapproved of by many as staunch Conservatives as any who support the government here? It appears to me that Mr. McLean must stand high in the county, or he would not have the united suffrages of men who sympathise with the opposition, and who sympathise with the government. I take for granted that he must have been a good officer, or he would not stand in that position. I regretted to hear the Provincial Secretary, on a former day, make a reference that I thought ought to have been spared. He threw out a challenge to discuss Mr. McLean's private character here. This is not the place for that. Here we are called to consider public acts and political principles. In reference to private character I would only say, as far as my memory serves and my intercourse with Cumberland may be relied on, that if called to declare on my word of honor which stood highest, Mr. McLean, or the man on whose oath he has been removed from office, I would say the former. Let it be recollected that Mr. McLean is sustained by James Morse, of Amherst, who for several years was a member of the Legislature, serving here, and subsequently in the Legislative Council; and I believe that you could not find a man in either branch who would believe that he would utter a deliberate falsehood, much less swear to one. He is now in the decline of life, but honored and respected, and we are in effect asked to believe that he has perjured himself on this question. I for one cannot believe that. Of Hunter I have no recollection, but I am told that he is not in a position to take away a gentleman's character, sustained as it is in this case. He swears to words used by Mr. Morse, who on oath declares the assertion a falsehood.

Who am I to believe? This man,—or one who has been honored by the choice of the people and of the Sovereign. Then comes the testimony of Mr. Clifford Morse, Mr. James Morse's son, a young man, but a barrister, who hopes probably to follow by and bye in his father's footsteps.—am I to believe that he committed perjury also? I cannot. His clerk is also charged with false swearing. If I could believe that James Morse, Clifford Morse, and the boy committed perjury in this case, I could almost wish that Cumberland was sunk beneath the sea. If I thought society in that county were so corrupt, that three such persons could enter into such a combination to ruin or sustain a man, I could almost wish the county blotted from the map of the province, highly as I respect its inhabitants, and value its territory. But I cannot believe it,—neither did the Judges, neither does Judge Bliss at this moment; and I do not think there are five men at the opposite side who believe it, although they may think that they are bound to sustain the government in each of its acts. Here are three witnesses to one. I ask the Attorney General, suppose an event to which allusion has heretofore been made, to have occurred,—suppose a celebrated wig to have descended on his head, and that he occupied the bench of justice himself, would he, if these four witnesses came forward, supposing them all unstained, decide in favor of Mr. Silas H. Morse, and against the other three? The Attorney General has intimated that he and the Provincial

Secretary had pretty well made up their minds that the removal ought not to take place; if so, and if Judge Bliss and two other Judges concurred in that view,—and yet if the transaction took place,—ought not the House to read a lesson to the gentlemen opposite?

Ought it not hear the petitioner at the bar, and take such steps as will make it imperative that he be restored next year? At all events, let him have the privilege of an Englishman, and be allowed to defend himself. In doing this, we would not be doing anything unjust, anything that ought to be rashly opposed by the leader of the government himself. My opinion is, that the affair has been a blunder, a false step, and that those who took it ought to set an example in retracing it. The case is one that requires calm, deliberate attention. Is it come to this, that no matter what the question, anything done by the administration is to be sustained, right or wrong? I hope not; but if so, let us understand it. Let us know that there is little use in discussing questions here, but that we have to register the acts of the executive, whether just or unjust.

Mr. WADE.—I had made up my mind, Mr Speaker, to give a silent vote on this question, but feel called on to make a few observations, especially after what has fallen from the hon. member for Windsor. A few days since he took me to task for lecturing the opposition,—but today, in violation of his own rule, the hon. gentleman has undertaken to read us a homily. He calls on the supporters of government to vote independently; so far as I am concerned, my action has always been independent. My reasons for opposing the resolution moved by the hon. and learned member for Inverness, are that I do not feel inclined to form one of a court of inquiry to investigate the characters of the different persons who are mixed up in this transaction. To me the parties are personally unknown, and therefore, I am unwilling to assume the responsibility of deciding which of them is entitled to most credence. If the leader of the opposition had proposed a direct vote of want of confidence—and called on the government to defend the act, we would then be called on to discuss its merits. But that is not the case. The sole question we have to consider is, whether or not by admitting Mr. McLean to this bar we should infringe the rules of the house. I maintain the affirmative of the proposition. If the leader of the opposition pursued the strict parliamentary rule in opening this question before us, I should have felt called on to sustain his motion;—but let me ask him if he can as a constitutional lawyer assert that those cases would justify any hon. gentleman in recording such a vote? He knows right well that they would not. He is quite aware that in all the cases he cited there was something of a general or public nature, or of a private character which required the action of parliament;—something on which the house could decide. Here the matter has been finally determined by the government; the action of this house cannot reverse their decision, or restore McLean to his office; and therefore, there is no question on which members are called on to adjudicate. I therefore trust the house will pause before compromising its dignity and infringing its rules—by constituting it a mere debating society. If Mr. McLean be admitted to our bar—and the wholesome rule of this house be

relaxed, a precedent will be established for applications from every petty dismissed officer from a bog reve upwards for a similar privilege.

It would not be just or fair to admit Mr. McLean, in the absence of the Sheriff of Cumberland and others implicated, to plead his own cause; we would then have but an *ex parte* statement of this case—and any decision to which this house could come, would not at all effect their relative positions.

On these grounds I shall record my vote against the resolution.

A call of the house was had.

The question was then taken, when there appeared,

For the resolution—Messrs. Bailey, Parker, McKenzie, McLellan, B. Smith, Fuller, Reinhard, McDonald, Wilkins, Davison, Archibald, Wier, Chambers, Webster, Morrison, hon. Mr. Young, Locke, Annand, Gelder, Robertson, Chipman, Munroe, Esson, hon. Mr. Howe—24.

Against—Messrs. Killam, Churchill, Caldwell, hon. J. Campbell, Brown, McLearn, Ruggles, hon. Mr. Henry, hon. C. Campbell, Martell, Moses, Tobin, McFarlane, Bourneuf, Bill, hon. Financial Secretary, Wade, Ryder, hon. Provincial Secretary, hon. Attorney General, McKeagney, P. Smyth, White, hon. Mr. McKinnon, Shaw, Robicheau—26.

Hon. Mr. Young.—As the majority has thought fit not to give the hearing which I think should have been conceded, I take this opportunity of referring to some documents, not yet before the house, and of stating what should be heard, in justice to him whose character as an officer and a man has become involved. The circumstance which I am about to state, shall, I think, be considered absolutely conclusive. The law of the province requires that a Sheriff, when he receives an execution, shall endorse on it the day and hour of its reception; the rule being, that personal chattels become bound from the moment of endorsing. Mr. McLean is a man of good business habits, and none would suppose him neglectful of the simple duties which every Sheriff attends to. The charge turns solely on this—whether the execution passed into his hands at 5 or 7 o'clock. It is admitted that a delay of four or five days occurred before the hour became matter of enquiry. I hold the original writ, partly in the writing of Clifford Morse, and partly in the writing of his clerk. On that, the only endorsement is, "Received, 27th of August, 1858, 5 o'clock, P. M., Roderick McLean, Sheriff." If there were two endorsements, one might be supposed to be substituted for the other; but there is only one—it was the act of the moment, and it completely acquits the Sheriff of the charge of receiving the instrument at 7 and pretending it was at 5 o'clock. It has been sworn that the execution was taken to the Prothonotary's office at a quarter to 7 o'clock, at Amherst, while another deponent declares that Clifford Morse and Mr. McLean left his house, 6 miles from Amherst, near 7 that evening; and if so, the other statement as to time could not be correct. I purposed moving another resolution, but do not think it an act of justice to the petitioner, to press the question any further at this time. There can be but one opinion as to the great injustice that has been done—and a more manly and independent course should have been taken towards a man whose position and character have been assailed.

He will now have to submit to the wrong ; situated as parties are here, I withdraw the intended resolution ;—petitioner's case is before the country—the charges against him will do him no harm in the county where he resides—where the circumstances and his character can be best appreciated.

HON. ATTORNEY GENERAL.—It is obvious that the motion which the house has just negatived, was without precedent and without due object, and was contrary to parliamentary rule. When the member for Windsor thought well to give advice to gentlemen who sustain the government, it might have been well if he spared some of it for the opposition, who were at least equally tenacious in supporting a course which promised no good, and was not sustained by parliamentary rule or usage. As to the threatened motion of the hon member for Inverness, which has been withdrawn, allow me to say, that he has been laboring on this question, against law and reason, and the practice of the house.

He may have succeeded in making the House a medium of conveying impressions to the public,—but he has done so by introducing the subject irregularly, and by seeking to establish a precedent particularly incongruous and inconvenient. If he had asked for the admission to the bar, of any other dismissed officer, the late Judge of Probate for Halifax, for instance, the argument which I am about to use would not apply, although I do not say, that such admission would be appropriate. The member for Inverness referred to a document concerning the hour of issuing the execution. That was not before the tribunal that settled the question. The appointment of Sheriffs emanate from an authority constituted by law, a law brought in by the member himself and his party. I enquire how he can ask the House to condemn the action of a body thus having the authority of law, except by charging some act of corruption? Is not decision thus arrived at equivalent to an Act of the Province? It is assumed to be done by those who have the authority, and in view of the responsibility resting on them. Whether they made an error in judgment or not, the act is settled and unimpeachable, except on the grounds which I have mentioned. Suppose the Chief Justice, having examined the affidavits, and believing that an object was to intimidate a party for a private purpose, decided as he did, and in conformity with his authority under an act of the Assembly, would the House be justified in reviewing that act, and calling it in question? To attempt passing censure on that officer, would be out of the question, even if additional evidence came up. That is only to be dealt with in other modes. When the hon member speaks of passing a resolution condemnatory of that act, he only affects to do what would be equivalent to passing a vote of censure on any other act of the Judges, done under due authority. The member for Windsor spoke of the act as executive, and said that the executive should take the responsibility. I say they could not do so ; the law has taken the responsibility out of their hands. They could only act in conjunction with two members of the Bench ; without such concurrence, or that of the Chief Justice, it was not in their power to take any action on the question. When any one of the Judges appointed to act, decided that an applicant's name should not be on the list, there was

an end to executive authority in reference to that appointment. The member for Windsor was incorrect in saying that I and the Provincial Secretary had made up our minds that Mr McLean should not be removed. We thought differently ; but we made up our minds to leave the question to the judicial decision of the Bench. When the Chief Justice took the view he did, the matter was determined. As to the evidence now introduced, it comes too late for affecting the judgment formed on the subject ; it has no bearing now on the decision. Allow me to say that it does not affect my mind in the way that it appears to affect the mind of the hon member.

If the statement be correct that impugns the conduct of the petitioner, the endorsement might be incorrect. Suppose, as has been averred, that he went without the execution, and that he found it desirable to carry out the statement made about its reception, he might have framed the endorsement to correspond with the statement. I am sorry to have to make these remarks ; but the new feature only goes to make the case more doubtful and difficult. The member for Windsor speaks of parties whom he cannot believe guilty of making misstatements under oath ; I do not believe that the Prothonotary would do so. When we take all the circumstances into consideration, we find his statement corroborated. All does not turn on the point respecting time. Hunter says that the Sheriff meant to intimidate him, for the purpose of causing him to recant a bargain made with Clifford Morse. The parties are contradicted on two points ; one about time, and one as to the object for which they went. The question was settled, however, by legitimate authority, not to be here questioned, except on grounds before referred to. That there is no desire on the part of government to assume any power, in the appointment of Sheriffs, of an arbitrary, oppressive, or extreme nature, the best evidence is, the course taken with the law now in existence on the subject. It did not pass with our concurrence ; and we laid a bill on the table to alter it, making such appointments, in cases of differences of opinion, entirely judicial. My wish for Mr. McLean's continuance as Sheriff was only changed by the charges made against him ; when it appeared improper that he should remain in such an office. In alluding to that wish, I spoke in reference to my conduct, in relation to the authority which the law placed in two of the Executive, and two of the Judges. Members opposite may not credit that, but it is the case. I again repeat, that you cannot impugn a tribunal of the kind alluded to, for its legitimate exercise of authority, without bringing home to it an erroneous judgment, not arising from mistake, or want of legal exactness, but from causes and motives much more objectionable ; therefore, I think that the hon. gentleman has acted wisely in withdrawing the resolution just now spoken of, and that he did not act discreetly, in urging that which was recently before the house.

(Mr. Tobin rose. Cries of no question. The Speaker said that it was out of order to address the house then, that had been decided on the question. The Provincial Secretary rose and expressed readiness to answer some remarks. The Speaker said that he had already prevented one gentleman from addressing the house, and to do so was not in order. Hon. Mr. Howe said that

he felt inclined to move a vote of censure on the two gentlemen who had last spoken. Hon. Attorney General said he would second that; the member for Inverness addressed the house subsequent to division, and he (the Attorney General) was induced to reply.)

The house adjourned.

MONDAY, March 21.

RAILWAY POLICY OF THE GOVERNMENT.

DR. TUPPER.—As I am anxious to save time, and it seems necessary that I should offer a few observations upon the Railway policy of the Government, I will occupy the attention of the house for a brief space on that subject.

I have already said that the present government, although opposed to the construction of railways by government, found on coming into power that the country had been so committed beyond recall to that policy that there was but one course to pursue, consistent with the honor and prosperity of the province.

In this spirit they turned their attention, in the very outset, to the great question of an Inter-colonial railway. A little experience had taught the country that the cost of these works had been greatly under-estimated by those who introduced them, and that the expenditure of a million of money was not likely to be attended by any sudden and great expansion of the trade or resources of the Province. It was also found that the returns to be expected for some years from a local and isolated railway would little more than pay the working expenses and keep the road in repair.

It soon became evident that unconnected with an intercolonial line, great difficulty would be encountered in obtaining the means to carry forward the obviously sound policy of completing the road to Pictou, and thus tapping the splendid coal measures of that fine county, and opening up the trade of the Gulf of St. Lawrence, Canada, and Prince Edward's Island.

The papers on your table, sir, show that from the advent of the present government to power, down to the return of the delegation from England, every nerve has been strained to promote, and if possible realize this great object, vitally important, not only to Halifax, which it would have made at no distant day the entrepot for the commerce of British America—to Pictou, the communication with which it would have insured—to Cumberland, through which it would have passed, but also to the whole Province by relieving our revenue at no distant day, from the payment of £60,000 per annum on an unprofitable investment.

Messrs. Johnston and Archibald were instructed to reopen the negotiation with the British government, Canada,—and New Brunswick, were invited to co-operate. The former did so by delegation, the latter by dispatch, not having received the communication in time to send a delegate. This house received without any mark of disapproval, their report containing an offer made by them to build and maintain the line to the border of New Brunswick, provided the Imperial government would guarantee our bonds, and the regret of the Legislature at the want of success was shewn by following up the subject by a joint address from both houses to Her Majesty, asking aid for the project.

Canada having been invited by us to suggest

some mode of obtaining united action on the part of the colonies, which was admitted to be so essential to success, proposed that addresses should be sent to the Queen, and that a delegation should meet at Fredericton or elsewhere to arrange a common basis of action. To this we consented.

In September we were notified by the Governor General that three delegates were on the eve of their departure for England, and our co-operation was requested.

We had previously been informed, by despatch from the Colonial Secretary, "that Her Majesty was pleased to receive the address very graciously, and that the important subject to which it relates will engage the serious attention of Her Majesty's Government as soon as they are in possession of the communication which they have been led to expect from the Legislature of Canada."

What, I ask, sir, would this house or this country have said to the Government of Nova Scotia, if, after Canada had responded to our invitation by sending a delegation to England at an hour's notice to meet Messrs. Johnston and Archibald, we had declined to meet the delegates from Canada and New Brunswick with the information just received from the British Government, that this great question was to "engage their serious attention," and with the fact patent to the world, that a large deputation of influential English capitalists had formed a Halifax and Quebec Railway Company, and that they had been very favorably received at the Colonial office?

If the time had passed when Nova Scotia was interested in or could aid in this undertaking, why did the Legislature not say so when they were shewn that a proposition had been made last year to borrow money on the credit of the province, guaranteed by England, to complete the road to New Brunswick. No vote of hostility was sounded—on the contrary, a unanimous address was passed to enable the Government to go forward.

The hon member for Windsor, with not very good taste I think, says that the delegation was unauthorized, and sneers at our proposal to give £20,000 a year towards the payment of interest until the road will pay, to ensure the connection with the railways of New Brunswick, Canada, and the United States.

Let me stop to enquire whether he is in a position to make such a criticism, or question with a good grace the financial features of our proposition.

The delegation was unauthorized, was it—or, to use the language of the *Morning Chronicle*, unconstitutional? Who, I ask, authorized Mr. Howe to go to England and submit a proposition on the part of Canada, New Brunswick and Nova Scotia? A portion of the Executive Council, of which he was a member. Who, I ask again, delegated Mr. Howe to go to England and borrow £150,000 *in par*? Five Executive Councillors, residing in Halifax. With such illustrious precedent, I do not think that, under the circumstances I have enumerated, the Government had any course open to them but the one pursued, and that they would have proved recreant to their duty as public men had they adopted any other.

Both myself and my colleagues felt that the mission was one of deep responsibility, as the

case did not admit of our receiving instructions, except of a very general character.

I was fully aware of the consequences of the step, but was prepared if the government of which I was a member, did not approve of our proposition, to retire from it, and throw myself broadly upon the judgment of the country. I was not insensible of the peril it involved to the government if endorsed by them, and was met in a spirit of hostility and faction in the Legislature; but I was bound to do what I believed the best interests of Nova Scotia demanded, and in conjunction with my colleagues, I did that faithfully and fearlessly to the best of my ability.

Believing as we did, that great results were calculated to flow from the construction of an intercolonial railway, the delegates from Canada, New Brunswick, and ourselves, agreed to renew the proposition to grant £20,000 sterling per annum, to assist in defraying the interest on the capital required, until the road would pay, provided the British government would endorse our guarantee, and give such further aid as would induce British capitalists to carry the road from Truro to Riviere du Loup.

If I am asked, sir, for the grounds upon which we ventured such a proposition, let me point you to the valuable and able exposition of this great question by the hon Mr. Howe, when he was endeavoring to obtain the same result.

That hon gentleman seems to have an opinion that I was formerly hostile to his scheme, but I can remind him of circumstances that will remove that impression. No man in this country was more captivated than myself with the eloquent and admirable letters by which he pressed this question on the British Government. When he subsequently came to wrest a seat from the Conservatives of Cumberland, he met no hostility from me. On the contrary, on the day of nomination I waited upon him with the concurrence of the representative of the Township. Mr. Bent, and the leading men in the party, with an offer of a seat for the Township uncontested, in order that he might carry out his scheme from free party. A compromise was made for the county, and I lent no aid to disturb that arrangement. It was not until we found that Mr. Fulton had left us, and the whole scheme had broken down, repudiated by Earl Gray, that Mr. Howe received any opposition from myself.

Now, sir, I find in those interesting letters this statement:—"One continuous Railroad communication with the great rivers and lakes of Canada, or with the principal cities of the United States, would give an impetus to the social and material prosperity of Nova Scotia which her people anticipate, in confident reliance upon their own resources and on the bounties of Providence. Give them both, and the trunk line through their country must become a source of prosperity to the Province—to its government, only to be paralleled in the history of the new world, by the celebrated Erie Canal."

By accomplishing the line to Canada, intersected as it would be by the line now constructing from Shediac to St. John, we knew that the connection thence to Bangor must speedily follow. Again, Mr. Howe says:—"If the road to Nova Scotia is commenced, the spirits of the Colonists will revive: It extended to Portland, it will 'prepare the way,' to employ your Lordship's own language, 'for the execution of the

line to Quebec; and it will contribute to the same end, namely, that of rendering Halifax the great port of communication between the two continents of Europe and America." Bright, sir, as is the coloring in this picture, it is not overdrawn. We see that mere local roads cannot realize any such result. "The Americans at this moment are putting forth their utmost skill to compete with our ocean steamers. When the railroad is constructed across Nova Scotia and New Brunswick, their boats must start from and return to Halifax, or the competition will be at an end."

"While the nearest land to Europe is British territory,—while a harbor almost matchless for security and capacity, invites Englishmen to build up within the empire a fitting rival to the great commercial cities which are rising beyond it, your lordship will readily comprehend the depth and earnestness of our impatience, to be rescued from a position which wounds our pride as British subjects, and is calculated rapidly to generate the belief that the commanding position of our country is either not understood, or our interests but lightly valued."

The means of obtaining the revenues to liquidate all charges for interest, it was thus shewn by Mr. H. could be realized beyond any doubt.

"We should make the interest of the loan we now require, a first charge on this surplus, in the event of the railroad, not yielding tolls sufficient, which, judging, by the experience of our neighbours, we do not apprehend.

"This surplus must steadily increase, because, while population and revenue will probably double within the next twenty years, as it has done, almost without emigration or railroads, during the past twenty, the expenses of the civil government will be but slightly augmented.

"The revenue could be, and if necessary would be, promptly increased, by raising the ad valorem duty, readjusting specific duties, or if even that were necessary, to sustain our credit with the mother country, by a resort to a legacy, income, or property tax."

The influence of an intercolonial railway upon the advancement and material prosperity of the Province was thus graphically drawn.

"I believe that New Brunswick could, if moderately aided, ultimately make her great lines, absorb and provide farms for millions of emigrants,—increasing the home market for British goods by the annual amount of consumption,—and, in a very few years, pay any loan she may require to contract, without costing England a farthing. The resources of Canada are well known to your Lordships.

"Her interest in these great works cannot be exaggerated, and must be greatly enhanced by the approaching removal of the seat of government to Quebec. They would bring her productions to the seaboard at all seasons of the year; connect her by lines of communication with all the other provinces, and with the mother country; preparing the way for a great industrial if not a political union, of which the citadel of Quebec would ultimately form the centre. That her government would second any policy by which this might be accomplished, there is no reason to doubt."

I did not bring to the consideration of the subject the great experience and enlarged ability which enabled Mr. Howe to exhibit so

successfully the resources of these provinces and the gigantic results that might be expected to flow from the accomplishment of Railway communications between the provinces; but I would yield to no man in an ardent desire to effect what I believe would alone give this province an opportunity of achieving the position which nature seems to have intended she should occupy, and which has been portrayed in language more eloquent than any I can command.

Nor am I, sir, without hope that the exertions of myself and my colleagues will be attended with a "valuable impulse" to the undertaking.

I believe that everything that tends to make our country, and our resources and geographical position better known to the statesmen and capitalists of England, will not be without benefit.

For the first time in the history of this great question, the difficulty of route was surmounted, and the representatives of the three Provincial Governments agreed upon a common basis of action, and pressed it unitedly upon the British Government.

A large number of influential gentlemen, both in and out of Parliament, have had their attention drawn to, and their feelings enlisted in our proposition, and I would not be surprised to see the project brought forward by the opposition in the Imperial Parliament.

I am told that the time is gone by when Nova Scotia would be warranted in taking such a step, because there is now a railway from Portland to Montreal.

Mr. Howe not only agreed on the part of Nova Scotia to build some forty miles of railway beyond our borders into New Brunswick, but to sustain it until it would pay, and then give it up to that colony, and all this was done after the line from Portland to Montreal was secured, as will be seen by reference to the proceedings at the Portland Convention, when the Hon. J. S. Little of Portland, President of the Atlantic and St. Lawrence Railroad, said—

"He had not expected to be called upon to make a speech, but he felt deeply interested in the success of the scheme that had called this convention together. He then adverted to the great enterprize in which the company over which he presided was engaged. He considered it, however, a section only of the great thoroughfare that would connect continents and countries, the success of which he considered certain. As to the Portland and Montreal Railroad, he pledged himself that it would be completed within three years, and announced that ample means for its completion had been secured and were on hand."

Had the British government concurred in our proposition, what would have been our position? A company of the first capitalists in the world could have been found in a week, with ample resources to accomplish the work. Of course they would have been desirous to obtain our portion of the line to Truro, either by purchase on fair terms or by rental. If they paid us 4 per cent it would return us the £20,000 promised, and the province would have had the immense benefits resulting from this great work, without costing us anything beyond what we now pay. But if they neither purchased or rented our line, the traffic they must bring over it would render that which is now unproductive remunerative, and thus give us the means to pay

the £20,000. But, sir, there was another important consideration connected with this scheme. We are alike bound by good faith with the Eastern portions of this province, and by regard to what I believe to be the best interests of the country, to carry this road to Pictou *the moment we can obtain the means, without embarrassing too deeply our resources.*

I am satisfied that we will never know what even local railways will accomplish, until we connect the Gulf of St. Lawrence on the one side, with the Bay of Fundy on the other—and had we been able to secure the Intercolonial line, it would have brought the Pictou Railway at once within our reach, as a short line would connect that place with the trunk.

Notwithstanding it must have been obvious to everybody how certainly the Inter-colonial scheme would have secured the line to Pictou, not only the opposition organs here, but also the *Eastern Chronicle* did every thing in their power to defeat the delegation whilst the question was before the British Government.

Most anxious to extend the Railway to Pictou, we ordered a survey of the line, that the Legislature might be able to have the necessary information before them for their guidance. I regret to find that the difficulty of reaching the town of Pictou and connecting with the coal mines involves so large an outlay as to compel the government reluctantly to abandon the intention of proceeding thither, until another year has shewn us what we are to expect from the line already in operation, and further developed our financial position and ability to accomplish that work.

Turning to the Westward we find that the road terminating at Windsor has rendered the line much less profitable than it would have been, had it been carried 7 miles further to Hantsport.

Now the terminus is upon a mud bank where the communication is limited to an hour or two at high water, a circumstance entirely fatal to it as a continuous steam route. This may suit the people of Windsor very well, but I cannot regard it as any other than a grave oversight or a criminal sacrifice of the interests of all parts of the province to those of a few individuals.

The survey to Hantsport shows that by an expenditure of £112,000 the Avon may be bridged and a level line of 7 miles of additional road made to carry us to Hantsport, where a large steamer can meet the trains at all times of tide, placing us in immediate connection with St. John and the United States, as well as all the surrounding portions of the Basin of Minas.

The government in discharge of their duty to the country have thought it right to have accurate surveys and careful estimates made, both to Pictou on the one hand, and Hantsport on the other.

What we propose is to spend this season in thoroughly finishing the railways already opened, and render the arrangements as perfect and economical as we can, hoping that at the ensuing session we may meet the Legislature with such results as will permit our extending the lines without incurring any unjustifiable risk, by which our credit might be seriously imperilled and irretrievable damage inflicted upon every portion of the country. It would be most agreeable to our feelings to proceed without delay to Pictou, but a stern sense of public duty compels us to pause for one year.



TUESDAY, March 1st, 1859.

After some preliminary observations, the house proceeded to the consideration of the order of the day.

THE REPRESENTATION BILL.

Hon. ATTORNEY GENERAL said:—I rise, Mr. Speaker, to move the second reading of the representation bill, and in doing so, it becomes my duty to explain to the house the principle of the measure, and the mode in which that principle is to be applied. I regret, sir, that this bill does not go further, but every hon. gentleman who hears me, will admit that great difficulties are always experienced in dealing with the question of representation, affecting as it must, the existing interests of constituencies, and the individual interests of members of the Legislature. This is more particularly the case where, as in this province, the Legislature is composed of a comparatively small number of representatives. To reach a uniform and general system of representation, it is therefore, necessary that some sacrifice of individual interest should be made, otherwise all hope of amelioration or improvement in our representative system must be abandoned.

The bill of last year was based on a general principle, which went largely to equalize the Representation of Nova Scotia, and would have settled it on a comprehensive and equal basis; it required that the representation of certain counties should be diminished, for the purpose of doing justice to the rest. The government, however, found that that measure could not be carried, for even the representatives of counties which were to receive additional members offered it their opposition. Attacked with the most factious hostility and unfounded assertions, it became evident that no alternative was left to the government but its entire abandonment, or that it should be so modified as to place it beyond the necessity for any support from the opposition. It became clear that the opponents of the government, guided only by party views—actuated only by party feeling, were determined to give their support to no measure introduced by the government, however calculated to do way with the anomalies in our representative system, and give equal justice to the whole people.

The only course left the administration last session was to withdraw that bill from discussion, and have it published and circulated. Let me ask what action was taken in respect of it during the recess? The opponents of the government assailed it everywhere as being based on a principle subversive of the religious rights of a large portion of the population, and invoked opposition to the measure of the most virulent nature. The administration therefore determined, having no hope of carrying the greater measure, to proceed as far as they could towards removing the anomalies and rectifying the glaring inequalities of the present system, and the result of their efforts is the bill now before the house.

Now, sir, let me call the attention of hon gentlemen to the nature of the bill of last year. Let it be borne in mind that our representative system is most unequal and unfair, not only as respects the number of representatives returned by the respective counties, but also as regards the privilege enjoyed in the several counties. We have in this province three distinct kinds of

representation—county, township and district. The bill of last year was intended to remedy the inequalities, anomalies and incongruities which exist both within the counties themselves, and which exist between the counties in relation to each other.

The basis upon which the bill was framed was the census of 1851, which, in my opinion, presents data upon which the house is quite justified in acting, because it may safely be presumed that since that period, the population of the several counties has increased in the same ratio. According to that census, Halifax in 1851 had a population of 39,112; Pictou 25,592; Cape Breton 27,580. Since that period Cape Breton has been divided, and the county of Victoria was set off from it. Supposing Victoria to have a population of 10,000, that would leave to Cape Breton 17,580; Inverness had 16,917; Lunenburg 16,395; Colchester 15,469; Cumberland 14,339; Hants 14,330; Annapolis 14,285; Kings 14,138; Sydney 13,467; Yarmouth 13,142; Digby 12,252; Guysborough 10,838; Shelburne 10,622; Richmond 10,381; Victoria, as I have said, 10,000; and Queens 7,256. Now, sir, these counties return the following number of representatives: Halifax 4; Pictou 3; Cape Breton 2; Inverness 2; Lunenburg 3; Colchester 4; Cumberland 3; Hants 5; Annapolis 3; Kings 4; Sydney 2; Yarmouth 3; Digby 3; Guysborough 2; Shelburne 3; Richmond 2; Victoria 2; Queens 3.

The number of representatives for each county under the present system—the changes proposed by the bill of last year, and that contemplated by the measure now before the house, will be seen at a glance on reference being made to the following table—

COUNTIES.	Population by Census, 1851.	Present Representation	Representation by Bill 1858.	Representation by Bill 1859.
1. Halifax.....	39,112...	4.	5.	5.
2. Pictou.....	25,592...	3.	5.	4.
3. Cape Breton, say.....	17,580...	2.	3.	2.
4. Inverness.....	16,917...	2.	3.	3.
5. Lunenburg.....	16,395...	3.	3.	3.
6. Colchester.....	15,469...	4.	3.	4.
7. Cumberland.....	14,339...	3.	3.	3.
8. Hants.....	14,330...	5.	3.	4.
9. Annapolis.....	14,285...	3.	3.	3.
10. Kings.....	14,138...	4.	3.	3.
11. Sydney.....	13,467...	2.	3.	2.
12. Yarmouth.....	13,142...	3.	3.	3.
13. Digby.....	12,252...	3.	3.	3.
14. Guysborough.....	10,838...	2.	2.	2.
15. Shelburne.....	10,622...	3.	2.	3.
16. Richmond.....	10,381...	2.	2.	2.
17. Victoria, say.....	10,000...	2.	2.	2.
18. Queens.....	7,256...	3.	2.	3.

It will be seen that 5 counties having each a population under 12,000 were to have two members each; 11 counties with a population ranging from 12,000 to 17,000 were each to have 3 representatives; and 2 counties having each over 25,000 population were so have 5 representatives each.

This table shews the great inequalities of the present system. Take for instance Pictou with its 25,592 inhabitants; that county now returns but 3 members, while Colchester, with a population of 15,469, or upwards of 10,000 less than Pictou, sends four members to this house; and

Hants, with but 14,330, or a little more than half the population of Pictou, returns *five* members. Again, sir, Kings, with but 14,438 inhabitants, has 4 representatives; while Annapolis, with a somewhat larger population, has but three. Under such circumstances, I ask whether Legislative action was not necessary to remove these most glaring inequalities?

Let me now turn the attention of the house to some other incongruities equally flagrant. Cape Breton with 17,000 inhabitants sends two members—while Colchester with 15,000 returns four, so that the latter county with 2000 fewer inhabitants sends double the number of representatives returned by the former. Inverness with a population of about 17,000 has but two—while Colchester has four; Kings four, and Hants 5 members. I may be told that Cape Breton and Inverness are to be brought under a different category—that a different principle is to be applied to them, because they are Catholic counties. I recognise no such principle—I look to every inhabitant of this province as a Nova Scotian, entitled to equal political rights, independantly alike of his religious or political opinions, and when such a cry as this is raised, I regard it as the expiring gasp of faction—the dying struggle of a party catching at any pretext to save itself from political death. But, sir, it is not only as between Protestant and Catholic counties that these disparities exist. Lunenburg purely Protestant, with over 16,000 population has three representatives—while Colchester with 15,000 returns four and Hants with 14,000 returns five members to this house.

If it had been designed to create a system of representation altogether unequal—giving to some counties, an undue preponderance over others, and an unfair weight and influence in this house, the object could not have been more efficaciously carried out, then it is under our present system. But our representative system is not the result of design; it has grown up under circumstances. In young countries it will always be found that the more fruitful portions and those which give greater facilities for the conduct of commerce being first settled, acquire naturally greater power and influence in the state. So has it been in Nova Scotia; but we have now to consider whether the circumstances which gave rise to these inequalities having passed away, we ought not as fast as possible to remedy those inequalities, and, as far as we can, place all Nova Scotians on an equal footing.

By the bill of 1858 two counties, namely, Pictou and Halifax, were to have 5 members Cape Breton, Inverness, Lunenburg, Colchester, Cumberland, Hants, Annapolis, Kings, Sydney, Yarmouth and Digby, with populations varying from 12,000 to 17,000, had each 3 members; and Guysborough, Shelburne, Richmond, Victoria and Queens, whose populations extend from 7,000 to 10,000, were to have each two members. It will be seen, then, that the bill of last year, being based on the principle of population, did fairly carry out that principle, and would have rectified the evils and removed the anomalies of our present system. I have before stated that this measure was not only opposed by the members of those counties whose representation was reduced, among whom were many supporters of the government, but the representatives of those counties which were to be increased, including Pic-

ton, that was to be raised to 5 representatives—factiously combined to defeat the measure. Failing thus to carry out their views to the full extent, the government were compelled to fall back upon a less extensive change—a remedial measure, which could be carried without the aid of the opposition. They have therefore proposed the bill now before the house, which, while it does not go to the full extent they could desire, removes many of the most glaring and unjust inequalities that the present system presents.

The bill of 1858 also did away with the old system of township representation; all the counties in the province, with the exception of Halifax and Pictou, were to return county members—while those two were divided into districts. So that the system was reduced to county and district representation. Let it not be said, then, that the bill of 1858 was not a just and equal measure; its principle was single and simple, that of population, and that principle it carried into operation with perfect impartiality.

Now, sir, it has been said that population is not the only basis on which our representation should be founded—that education, property, real and personal, and especially the agricultural interests of a county, should be considered. The gentlemen who have raised this objection do not inform us by what scale we are to be guided in applying their own principle; and inasmuch as they condemn both the bill of last year and that now before the house, I must assume that they believe that the system now in existence is, according to their principles of comparison, just and right. Let me try their views on their own grounds.

Take Pictou and Colchester. Pictou, with 25,000 population, has 3 members, Colchester, with 15,000, has 4. Why should Pictou be thus inferior to her neighbor? The answer must be, according to the gentlemen opposite, that in education, intelligence, property and agricultural improvement, Colchester is so far superior to Pictou as to justify that great inequality; and the members for Pictou and the radical paper of that county we must assume alike acquiesce in the degrading comparison, because they have concurred in denouncing the bill.

Again, sir, you have Cumberland with 14,339 population, and Annapolis with 14,206 inhabitants each, with but 3 members; while Hants, with 14,303, returns 5. Are the counties of Cumberland and Annapolis, then, so far beneath Hants in education, intelligence, wealth and agriculture that this most glaring disparity should be continued? We point to the inequality as a blot and a stain—an excrescence on our parliamentary representation,—when up rises Hants and replies—we admit that in point of population you are our equal, but in education, intelligence, property and agricultural improvement we excel you in the proportion of 5 to 3. On behalf of Annapolis, sir, I enter my protest against such self exaltation on the part of any county. I will pass through the beautiful valley of the Annapolis river, and enter every house, with the best judges you can select, and in refinement of manners, education, intelligence, moral sentiment—in independence of character and circumstances, agricultural and mechanical progress, I will challenge comparison between that fine county and any in the province.

But, again, we have been told in effect, that

the elective privilege of some places must be restricted, in consequence of religious opinion. It is a broad principle indeed, and a bold one that would bring us to a position so startling. We are told, in substance, that certain counties are Protestant, and therefore, that they are entitled to peculiar privileges; it follows, that those differently circumstanced as to religion belief, are to be subjected to peculiar deprivation. Do gentlemen opposite really propound that as doctrine which ought to be our guide, in framing a bill for the representation of the province of Nova Scotia? The representation at present is unequal, and anomalous, and demands change; if changed, the alteration must be on some principle that can be understood. The bill of 1858 was based on population—and we are told that that is not proper,—but that education, and intelligence, and property, should also be considered. If gentlemen opposite cannot give us some means by which to measure these qualifications, their opposition on that part is futile. When we hear of religion as the distinction in representation, I inquire again—will those who oppose the present measure, explain the extent of the difference they propose to be made between Catholic and Protestant, and how much lower in the scale one is to stand than the other? We must have some standard. Is it right, I inquire, that the existing difference between Hants and Inverness should continue? Inverness, that has manifested its intelligence by sending to this house the leader of the opposition!! Take these two places as the guide to judge of the representation. Hants, by last census, had a population of 14,000; Inverness of 16,000,—but Hants sends five representatives, and Inverness two. Is that the ratio—the relative proportion which gentlemen opposite would establish between the Protestant and Catholic people of Nova Scotia? Is that to be the scale? Is a Protestant population to have more than double or treble the privilege of a Catholic population? Let gentlemen be plain and speak out. Let them not shrink from the consequences of their own principles.

I do not intend to dwell on a principle so incongruous to our notions of justice and constitutional right, but to touch it merely at this time, because the bill of 1858 being now withdrawn it is less important. The man must be bold who would calculate on the credulity or the ignorance of the people, so far as to propound the doctrine that the free exercise of religious opinion should be visited by the abridgment of political rights. This question of religious distinction comes with less force after the singular speech made on Saturday by the member for Windsor. He has a manner of illustrating his opinions which prevents them from being readily forgotten. We all recollect his illustration of the decayed orange, in reference to the Legislative Council. On Saturday he remarked, that divide the plum-pudding as you might, there would remain still the same number of plums in it; and thus he went on to show the arrangement of the province as you please, you cannot make more Catholics in it than there are—that they are a small minority, so outnumbered by Protestants as to leave no danger of their ever acquiring ascendancy. This helps me in the views which I urge on the consideration of the house, for thus it appears that not only is the argument drawn from religious distinction unsound in principle, and hateful in

character; but, if the hon member is to be believed, needless and uncalled for. If he be correct, it has not even the excuse of expediency. If it be true that Catholics are so small a minority—if they are to continue to be so outnumbered by other denominations, then what means the cry raised, that the bill of 1858, based on a principle so fair, was designed to effect the injury of the Protestants of Nova Scotia, and to overbear the religious rights of any part of the population?

The bill now before the house, as I have already said, does not go the length of the former bill; it is inferior to it, because it does not deal with the subject on so broad and general a principle. That bill was rendered impracticable by the factious opposition urged against it. In consequence of the opposition of those whose counties were to have diminished representation, the bill was impracticable, except the counties which were to be benefitted concurred in sustaining it. That measure was designed to remedy both of the evils that exist—the inequalities between counties, and the inequality within counties. The first of these involved the diminution of representation in some of the counties; the present bill abandons that to a great extent, it being found impracticable for the reasons given—from the repugnance to be expected in reference to those whose privileges were diminished, and from the banding together of gentlemen opposite. The present bill aims to remedy the other evil—the inequality that exists within several of the counties—the inequality of the privileges of one set of electors as compared with another portion in the same county; and I ask the attention of the house to the position of the representation in that respect. Such inequality exists in the counties of Halifax, Kings, Pictou, Digby, Annapolis, Lunenburg, Hants, Cumberland, Cape Breton, and Richmond. In all these great inequalities appear, in reference to the exercise of the elective franchise by electors within each county. For instance, Halifax township sends two, and the county two, while the township does not comprise half the votes of the whole county. A consequence of the present mode is, that all the inhabitants lying west of this harbour unite in sending four representatives, two county and two township; while all to the eastward possess the privilege of sending two only. The county is of great extent, reaching more than 100 miles from Halifax to the borders of the county of Guysborough, and including several classes of inhabitants.

The settlement of Musquodoboit presents a fair specimen of agricultural wealth and activity, as compared with any of the other counties. Along the shores are settlements of fishermen, and others, who derive their living in coast employments, separated from other portions of the inhabitants, not more by agricultural position, than by general habits and modes of business. The eastern district not only has not equal privileges, but as the western comprises the city of Halifax, and contains an overwhelming portion of the electors, the other district beside having unequal distribution of privileges, can scarcely have an efficient voice in sending a county member, except the west refrains from overruling their opinions. The bill proposes to separate the county into two districts, giving the eastern two members, and the western three; thus rendering the people to the eastward that measure of justice

which they have long sought, and were well entitled to. The next county which the bill proposes to ameliorate is that of Pictou. It has three representatives now, the bill proposes to give four, and to separate the county into two electoral divisions, each having the free choice of two representatives. The township of Pictou now sends one member, and the county two,—and the consequence is, that the townships of Egerton and Maxwellton are excluded from the privilege enjoyed by the other township. It may be said that the bill does not increase the privilege of voting to any in Pictou. That is true, because to give the county the right of sending four members by one vote would not be prudent, as regards the general interests of the province; but it separates each district from interference of the other, while each has the privilege of sending two representatives to guard its particular interests; which would not be so, if all were to be county representatives. Another county in which such disparity appears, is that of Cape Breton. The township of Sydney sends a member to this house; but outside of that township are three others, St. Andrew's, Miré, and Louisburg, besides smaller settlements which do not enjoy the franchise equally with Sydney. The bill proposes to put these townships on an equal footing.

In Lunenburg great inequality exists. Running through the centre of the country, is the township of Lunenburg, which sends one member, while on either side are the townships of Chester, New Dublin, and LaHave, each larger in area than the first named township, and they enjoy inferior electoral privileges. The bill proposes to remedy this inequality. We have also Cumberland, which exhibits much irregularity of representation. The township of Amherst is small compared with the entire area; but it enjoys a privilege from which Wallace, Pugwash River Philip, Maccan, Minudie, Advocate, Parsboro', and other districts, are excluded. This bill designs to put those places on an equality. Hants stands distinguished for an anomalous state of representation. With its five members, giving it advantage in comparison with all other counties, it presents a most flagrant instance of inequality within its own limits.

The townships of Falmouth, Windsor, and Newport, lying in one corner of the county, and not one third of the entire area, send each a member, while Uniacke, Kempt, Noel, Douglas, Rawdon, Maitland, Nine Mile River, and other places are deprived of similar privilege. Is it unjust to place those on an equality? It was remarked on Saturday that the bill does not in all cases give an increased voice to the sections thus relieved. Is it nothing, however, to remove the inequality,—to give to each district a right to choose a representative to attend to local objects and interests.

In Annapolis, the township of Wilmot, and the settlements of Albany, Springfield, Maitland, Dalhousie, and others, are all excluded from the privilege enjoyed by Annapolis and Granville. The bill places these on an equal footing. Is justice done? A petition from Wilmot, strange to say, has been presented against the bill, although it elevates the township to a footing of equality, and gives it three votes instead of the single vote it now possesses. So it is also in Kings county; Aylesford, Dalhousie, and other

districts are excluded from the privileges enjoyed by the electors of Corwallis and Horton. In the county of Digby also, portions of the people are debarred from privileges enjoyed by the townships of Digby and Clare. In the county of Richmond, the small township of Isle Madame sends a member, while L'Ardoise, Bourgoise, and other places in the county are excluded. The bill places all equally. These remarks include the ten counties to which I previously referred.

Here let me enquire whether the alterations proposed by the bill in this respect are just and right in themselves. Is it right to do away with the inequalities of representation that exist within the counties? If it be, the bill is framed on a just and proper principle, and it will require a large amount of eloquence and argument to prove the reverse. I know not by what process of reasoning the member for Lunenburg is to be satisfied that the people of Chester, New Dublin, and LaHave ought to stand inferior in electoral rights to the inhabitants of the township of Lunenburg. I know not how the member for Hants is to appreciate the argument that Noel and Maitland, Kempt and Rawdon, Uniacke and Douglas, ought to be held inferior to the inhabitants of Falmouth, Windsor and Newport. The mode in which the evil is to be remedied is this: Having found necessary, for the reasons given, to leave untouched, except to a small degree, the numerical inequality of representation, as comparing one county with another, and confining ourselves to the inequalities within the counties, we dealt with those counties which by the bill are to return more than three members each, viz., Kings, Pictou, Hants, Colchester, and Halifax;—(removing one from Hants, and giving the member to Pictou,) we have five counties, each sending above three,—and of these Halifax is to have five representatives; Pictou, Colchester, Hants, and Kings, four each. The bill then divides each of those counties into two electoral districts, giving to each the choice of two representatives, except in the case of Halifax, where the western district is to have three. This I think is fair; it places the system of representation, so far, on a proper basis—it does away with the anomaly of double representation and double voting in counties—it prevents too large a vote by any one constituency, and gives to the counties thus divided, the advantage of having the particular interests of each district under the care of two members, selected among themselves for that portion, without the interference of any neighboring township. Of the remaining counties having not more than three members each, over which the operation of the bill is required from the inequality within them, the proposition is to bring them to a uniform system, by creating only county members.

There would then remain the counties which, represented by county members, calls for no change in the mode of representation under the present bill,—such as Inverness, Sydney, Guysborough, Victoria. One other class remains, consisting of three counties which would still retain the double mode of representation, by means of townships; these are, Yarmouth, Shelburne, and Queens. These are not brought under the operation of the bill, because they do not present the evil which the bill is mainly designed to remedy. The inequality of representation existing in other places, does not appear in these

counties. In Yarmouth, the townships of Yarmouth and Argyle embrace the whole county, and also are separated, not only as regards the election of representatives, but in reference to the arrangement of local affairs; each has its own session house, and is completely distinct in the management of township concerns. Similar remarks apply to Shelburne and Barrington. In Queens county also, the districts comprise the whole county, and the existing division was only recently made.

The bill then does not aim at reducing the representation of those counties which have now more representatives than they are numerically entitled to, except by the removal of a member from Hants. That county is so very unequally situated, that to take one from it cannot be considered an extravagant exercise of power. It would then have four members in common with Kings, Colechester, and Pictou, and Halifax five;—Hants thus, would have with its 14,000 population, as many as Pictou with 25,000, and double the number of Cape Breton with its 17,000, and one more than Lunenburg, of which the population is more numerous. It would thus be on the same footing with the most privileged, except Halifax, which is the metropolitan county, and has a population

of nearly 40,000. One other feature in the bill was requisite, to meet a special inequality. Inverness, with a population of about 17,000, is represented by two members. I should suppose there ought to be no objection to giving an additional member to that county, and so raising it to the electoral rank of Lunenburg,—and to no higher position than is occupied by Annapolis, with its 14,000, and Yarmouth with its 13,000 inhabitants. I may be asked why is this not carried out? Why is not other increase of representation made on the same principle? I answer, that would be to enlarge the whole number of this house too much. A neighboring county to Inverness, Cape Breton, might well demand the same measure of consideration, but that county has recently obtained in another form, an increase of representation; it is not long since Victoria was separated from it. It had then two members, and Victoria had two given; so that the 27,000 inhabitants there, have four representatives. That is deemed sufficient reason for not doing for Cape Breton what might seem equal justice, as compared with Inverness.

[The Reporter has not furnished the manuscript of the remainder of the Attorney General's speech.]