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There are some creases in the middle of the pages.

Pages 36, 96, 102, 157, 179, 236, 286, 289 & 308 are incorrectly numbered
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Some pages are cut off.

DEBATES AND PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY,

DURING THE

THIRD SESSION OF THE TWENTY-THIRD PARLIAMENT

OF THE

PROVINCE OF NOVA SCOTIA.

1866.

JOHN GEORGE BOURINOT,
Reporter to House of Assembly.

HALIFAX, N. S.

PRINTED BY CROSSKILL AND BOURINOT, "EVENING REPORTER" OFFICE.

1866.

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NOTE.—The Reporter of the House of Assembly begs leave respectfully to call attention to the fact that this Pamphlet, containing the Debates of the Session of 1866, is the most complete publication of the kind that has ever been issued since the reports have been given in this [country in an official form. The amount of matter reported is largely in excess of that actually contracted for. The debates on the Pictou Railway, and Union of the Colonies, have been given verbatim, in view of the interest attaching to these questions. Mr. Bourinot also thinks it but just to add that he has been ably assisted in the performance of his work by Mr. John S. Thompson.

DEBATES AND PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY OF NOVA SCOTIA.

1866.

THURSDAY, Feb. 22.

Shortly before 2 o'clock p. m. the SPEAKER took the chair of the house, and after a few minutes the Gentleman Usher of the Black Rod conveyed the command of His Excellency for the attendance of the House in the Council Chamber.

The House of Assembly having attended in obedience to His Excellency's command, His Excellency opened the Session with the following Speech:—

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

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

1. It affords me unfeigned satisfaction, in meeting, for the first time, the Legislature of this my native Province, to be able to congratulate you upon a condition of prosperity never before equalled in the history of the Colony.

2. While we have enjoyed the blessings of peace and immunity from pestilence, the labors of the Husbandman and the Fisherman have been crowned with success; and the sale of Crown Lands, the development of our Coal and Gold Mines, the receipts from our Railways, and the Trade and Revenue of our Province, are greatly in excess of any preceding year.

3. A soldier myself, and intimately connected with the organization of the Volunteer movement both in Great Britain and in this Province, you can well understand the deep gratification it has afforded me to find the spirited manner in which my countrymen have responded, by the organization of a Militia Force so efficient, to the call to prepare for any emergency which may at any time demand stout hearts and trained arms for the defence of the inestimable privileges we enjoy as subjects of the Crown of Britain.

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

4. The Public Accounts will shortly be placed before you. The Estimates for the Year will be prepared with as much regard to

economy as due consideration for the interests of the country will permit.

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

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

5. You will learn with regret that, notwithstanding the united efforts of the British North American Colonies, the Government of the United States have adhered to their determination to abrogate the arrangements for Reciprocal Trade which have for the past eleven years contributed so largely to the harmony and commercial prosperity of both the neighboring Republic and these Colonies; but I am sanguine that by mutual aid and co-operation among the Provinces, and under the fostering care of the Mother Country, the trade of British North America may be so directed into new channels, and our valuable fisheries so protected, as to meet the emergency thus forced upon us and avoid any material commercial inconvenience. The correspondence upon this subject will be submitted to you.

6. You will be gratified to be informed that the efforts to represent the products of this Province at the Dublin Exhibition resulted very favorably—a large number of medals having been awarded to our exhibitors; and from the necessity which now exists to make known as widely as possible the great natural resources of these Provinces, you will, I doubt not, make suitable provision for the due representation of Nova Scotia at the great International Exhibition to take place in Paris in 1867.

7. Contracts, based upon the legislation of last Session, have been entered into during the recess of Parliament for the extension of the Railways from Truro to the border of New Brunswick, and from Windsor to Annapolis. These documents, and the papers connected therewith, will be laid before you at an early day.

8. In accordance with instructions received from Her Majesty's Government, circulars were transmitted to the persons in charge of all

the Prisons in the Province, making enquiries as to their condition. These documents, with the answers to the enquiries made, will be submitted for your consideration; and I will be glad if some means should be devised for the due inspection of all places of imprisonment, in order to promote an improvement in the system and uniformity of discipline.

9. Your attention will also be invited to the important question of Immigration, in the hope that a larger number of those seeking a new home may be made acquainted with the great advantages which are here offered to industry, capital, or skill.

10. I confidently hope that, deeply impressed with the gratitude due to a beneficent Providence for the blessings so liberally bestowed during the past year, your united deliberations will result in promoting the continued prosperity of this highly favored land.

THE LUNENBURG ELECTION.

The SPEAKER, upon the return of the House, proceeded to read His Excellency's speech.—The Speaker also announced the demise, during the vacation, of Dr. Stocumb, one of the representatives of Lunenburg, and the issue of a writ to supply the vacancy.

Hon. PROV. SEC., by command of His Excellency, laid on the table of the House, the return to the writ for the election of a member for the county of Lunenburg, which was then read, announcing the election of Abraham Hebb, Esq.

Hon. J. H. ANDERSON and HON. A. KEITH, the Commissioners for administering the oaths, then took their places, and Mr. Hebb being introduced by Messrs. Annand and Kay, advanced and was sworn in.

The SPEAKER announced that the usual order for the franking privilege had been made.

BILL PRO FORMA.

Mr. S. MACDONNELL then asked leave to introduce *pro forma* a bill entitled "An act for the patenting of useful inventions." The bill was read a first time, and ordered to be read a second time on a future day.

ANSWER TO THE ADDRESS MOVED.

Dr. HAMILTON said—I rise, Mr. Speaker, for the purpose of moving the answer to the speech with which his Excellency the Lieut. Governor was pleased to open the third session of the twenty-fourth Parliament of Nova Scotia.

Every Novascotian, and especially the members of this House, must feel gratified that Her Majesty has thought proper to select and appoint as her representative in this colony, one of Nova Scotia's sons, whose talents and bravery have won him so distinguished a name in the British Empire, not only as the heroic defender of Kars, but in other important positions. As our Governor, we must feel confident that in the exercise of his great abilities and practical knowledge, Nova Scotia has been placed under the most favorable circumstances at this time.

It must be gratifying, too, for His Excellency to meet the Legislature of this his native Province under such favorable circumstances, for I believe never before, in the history of Nova Scotia, was every branch of productive industry in so healthy and flourishing a condition as at present.

The returns from the various sources of revenue, which have been made public, enable the Government to meet the House with no demands against the treasury, but, on the contrary, with a large surplus.

If there is one thing more than another which should inspire confidence in a Government in the management of the public affairs, it is the fact that the productive industry and the various sources of wealth are steadily on the increase.

A full treasury not only enables the Government to meet all the existing and necessary appropriations, but it does more—it enables them to make provisions for the extension of the public works, and other improvements which from time to time are required by the people.

Now, I do not feel disposed, in making these statements and exhibiting the figures which will follow, to attribute all the increase in the trade, commerce, navigation, agricultural produce, fisheries, mines and minerals, &c., to the management of the gentlemen who compose the present government, but this much I may say, that just in so far as the people have confidence in the integrity, practical ability and good intentions of those gentlemen, so far do people feel security in entering into the prosecution of those various sources of industry and trade, which result in the enjoyment not only of all the luxuries of life, but in the increase and extension of the productive sources of wealth.

I believe in every department from which returns are collected, the increase over previous years is remarkable, and as far as the productive resources of our Province are concerned, viz., the fisheries, agriculture, mines, minerals, and other departments they are all equally in a healthy and flourishing condition.

A few facts and comparisons might not be amiss, and while I do not feel disposed to make any invidious comparison with former governments under different parties, I must be permitted to refer to a few figures to illustrate the progress which has been made, and first let us take the exports of Nova Scotia.—

In 1830, under the management of our predecessors, the whole exports amounted to

\$6,619,534

While, in 1865, they were no less than

8,830,633

Being an increase of no less than

\$2,211,099

If there can be any doubt about the state of our country in this respect, a reference to her exports will prove her prosperity, and the great increase for the last six years shows pretty plainly that Nova Scotia is progressing in her productive capabilities most rapidly, and we must certainly hope it may long continue. I might mention that during the years 1861-62-63; the exports of the Province fell off no less than \$1,242,169, so that the increase has been most rapid, amounting, since 1862, to no less a sum than \$3,153,672.

These very large exports and imports produce a trade from which a large revenue is collected, and as far as the Government and the representatives of the people are concerned, nothing is more gratifying than to have a large surplus revenue to return to the people in the shape of grants for roads and bridges, schools and navigation securities, and which also en-

ables a Government to extend public works as they have been extended during the existence of the present Legislature.

Let us examine the other departments: take the Crown Land Department, for instance, and here we find the same rapid and steady increase under the control of the present Government. In 1860 the revenue from the Crown Lands was \$20,846, and it declined to \$15,004 in 1862, while the revenue from that source in 1865 was no less than \$43,136, being an increase over 1863 of \$28,033. These figures likewise indicate a corresponding increase in the population of the country, for many of the grants have been taken out by settlers.

Take another department of the public service—the Railway.—and we find the same results. In 1862 the receipts of the Railway were \$130,106, while in 1865 they amounted to the sum of \$183,969, being an increase of \$4,833, at the same time we have evidence of the good condition of the road, and the increasing confidence the people feel in travelling on it.

The revenue, which gives the sinews of war to a government and a legislature, is, in this Province, in a most gratifying state, as will be shown by the following items, viz., in 1860 the whole revenue collected amounted to the sum of \$757,447, and in 1862, under a tariff of 12½ per cent., being an increase of 2½ per cent. ad valorem duty, the sum was only \$916,853, while in 1865 under a 10 per cent. tariff, the revenue amounted to \$1,200,571, being an increase of \$444,124, the increase being more than half of the entire revenue for 1860.

The coal mines, too, exhibit the same prosperous condition, for, in 1862, the amount shipped in from this Province was only 392,631 tons, while, in 1865, the number of tons was 651,253, being an increase of 258,625 tons. This branch of trade is one of the most important in connection with the country, and its value can be estimated by a glance at the Island of Cape Breton abounding in seams of coal.

The gold mines are not an exception, for we find that, in 1852, there were only 7,110 oz. raised, while, in 1865, the amount was 24,876, being an increase of 17,766 oz.

Gold mining has now become a settled branch of business in this Province, and as it will afford an export to meet the demands made upon us for the importation of necessary articles of consumption from foreign countries, too much attention cannot be given to the encouragement of this branch of our industry.

I have thus enumerated many of the important industrial pursuits of Nova Scotia, and produced figures to show her prosperous state. I will not lengthen my present remarks further than to allude to one or two other topics mentioned in the speech.

Mention is made of the attempts by our Government to negotiate for the renewal of the Reciprocity Treaty, a treaty by which we were enabled to conduct, very beneficially for both countries, a large trade with the United States, but as that country seems disposed to erect a Chinese wall about her borders, and thus break off a most beneficial trade, we must find new channels for the exchange of our productions, and if by the present negotiations we may be enabled to open new trade relations with the West Indies and the North American Provinces, the information obtained and the practical les-

sons learned from the ten years trade carried on under the treaty, I trust will not be lost to the sagacious people of Nova Scotia in any such new channels we may open up.

It is true we require the flour and pork of the United States, and some other important articles, but let us encourage home productions; and, as far as manufactures are concerned, I do not see why we cannot compete with that country in many of the more common articles in use.

Now, in the article of boots and shoes, we are manufacturing our own supply to a large extent, as the prosperous factories at Annapolis, Wolfville, Hants, Colchester, Pictou, and Halifax testify, and if we can successfully compete with them in this respect, and in the manufacture of axes, which the two factories of Liverpool and Cornwallis have done in driving the American axes from our market, we can do it in other articles of a similar kind.

Another very gratifying feature of his Excellency's speech, especially to the members of Hants, Kings, Annapolis, Colchester and Cumberland, is, the reference to the fact that contracts and arrangements are already entered into for the building of lines of Railway, agreeably to the legislation of the past session, and I think if there is any one thing which should inspire confidence in the Government, it is the earnest desire shown to construct and extend for the people, East, West, and North, the existing lines of Railway, and I believe the mass of the people will receive this announcement as evincing the determination of the Government to advance their interests.

Nothing in my opinion has such a favorable tendency to develop and bring to the notice of the people the various resources of a country as well arranged and managed Exhibitions, and while a young country like Nova Scotia has not the wealth, or facility for collecting and exhibiting her resources, we can, in connection with exhibitions, in older and more favored countries, exhibit our products, and thus show our capabilities.

The exhibitions of London and Dublin have done much for us in this respect, but I conceive that too much pains and trouble or even expense cannot be appropriated better than in this respect.

The proposed Exhibition at Paris, in the spring of 1867, affords a favorable opportunity for a further display of our coal, gold, iron, and other minerals, as well as of our agricultural productions, and I am glad to find that His Excellency has been pleased to bring it to the notice of the Legislature, and I hope that every necessary arrangement will be made, on a suitable scale, to secure a creditable exhibition of our productions, so that we will be enabled to win as many medals as we have received at the Exhibitions of London and Dublin and more recently, (having taken the very highest prize at the recent Exhibition of the London Horticultural Society, viz., a Gold Medal for the best collection of Fruit and Vegetables from any of Her Majesty's Colonies.) With these remarks, sir, I beg leave to move the following Reply to His Excellency's Address:

ANSWER TO ADDRESS.

MAY IT PLEASE YOUR EXCELLENCY,—

We thank your Excellency for the Speech with which you have been pleased to open the present Session, and rejoice that in the choice of a Lieutenant

Governor the selection of our Gracious Sovereign should have fallen upon a native of this Province, whose talent and bravery has won for him a place so distinguished in the history of the Empire.

We are deeply grateful for the blessings of peace, and freedom from pestilence, which we have enjoyed during the past year, and learn with much satisfaction from all the various departments of the unparalleled prosperity of our country.

We are much pleased to learn that the efforts we have made to aid in the defence of our country, and our rights as British subjects, have been such as to warrant the commendation of a soldier so accomplished as yourself.

The public accounts will receive our careful consideration when laid before us, and we hope to find the estimates adapted to the necessities of the country.

We regret to learn that there is no immediate prospect of the renewal of the Reciprocity Treaty, but we confidently reiterate the expectation referred to by your Excellency, that by judicious measures for the extension of our Trade in new channels, and the vigorous protection of our Fisheries, no material inconvenience will result to our Commerce.

It affords us much satisfaction to be informed that the efforts to represent the products of this Province at the Exhibition recently held in Dublin were so successful, and fully sensible of the great importance of making our resources better known abroad, we shall be much pleased to provide for the due representation of this Province at the Exhibition to be held in Paris in 1867.

We shall be happy to give the Contracts made for the extension of the Railways from Truro to Moncton, and from Windsor to Annapolis, and the papers connected therewith our careful attention.

We will also examine the statements collected respecting the management of our prisons, and consider any measures which may be proposed for their better administration with the deliberation due to so important a subject.

Any measures adapted to promote useful Immigration to this Province will obtain our hearty co-operation.

We desire to be sincerely thankful to Almighty God for the blessings so bountifully bestowed during the past year, and join your Excellency in the hope that our legislative labours may conduce to the continued prosperity of our common country.

Mr. JAMES FRASER, in seconding the address to His Excellency, spoke, in effect as follows: I do not intend, Mr. Speaker, to occupy the time of the House by speaking at any length, for my hon. friend who has preceded me has gone over nearly all the subjects which required comment. In the first place I would say that I think we have great reason to be proud that a native of this Province has elevated himself to so exalted a position as that which His Excellency at present occupies, and I have no doubt the people of this country feel highly pleased at his appointment to that station. In this instance we find that a colonist has conducted himself with such ability, integrity and valor, that his promotion can only be regarded with pride by every subject of the Crown. That promotion is in conformity with the maxim, "Honor to whom honor is due"; a rule which secures to every subject of the Empire a proper reward for merit.

In reference to the Reciprocity Treaty, I may say that while I regret that that treaty has been repealed, I do not look upon our condition as some do, who take a very desponding view of affairs, but on the contrary, I considered from the first that we were too anxious for its continuance. I would not be willing for my part to accede to the terms upon which a renewal of negotiations were offered, and I am happy that our delegates at once refused to have anything to do with the conditions which

were proposed. We may find ourselves able to get along very well without the treaty; our commercial relations with other countries will be placed on a better basis than hitherto; the Colonies will feel more deeply that they are portions of one great empire, and I hope such arrangements will be made as to secure the continuation of our prosperity.

I have no desire to speak ill either of any nation or any individual, but I do think the American people, having asked the repeal of the treaty, should not be allowed—and I think that the aid of Great Britain would be extended to us in this instance—to enjoy the privileges in connection with our fisheries which by their own conduct they have forfeited; if such a determination on our part were evinced, I think we would find them in a few years enquiring the terms upon which the old arrangements could be restored.

Another matter upon which I will remark, is the willingness with which our people have responded to the call made upon them in reference to our Militia defence. Heretofore we have not done a great deal, but what has been done is a guarantee that there would not be warring people in these Provinces ready and willing to meet the aggressions of any enemy coming from any part of the world. While I hope that the day of danger may never come, I feel confident that if it should, our people would prove themselves ready to defend their hearths and homes with all the energy of which they could avail themselves.

Mr. ARCHIBALD—I presume the usual course will be pursued, and that the reply will be allowed to lie on the table until to-morrow. I may say I am not aware of any amendment to be suggested, but it seems to me that my friend from Cornwallis, in moving the address, comes as it were under a flag of truce, and takes the opportunity, at the same time, of pouring a volley into the enemy. It would be a pleasure to me to follow that gentleman through the course of his argument, and to show that he was mistaken in attributing the prosperity of the country to the management of the administration, and I think I could convince the House that even though a worse government came into power, the fish would still be caught in our waters, the coals would still be exported, and apples would still be produced in our orchards. It would afford me a pleasure thus to show how slight a foundation he had for his argument, and I could not help thinking at the time that there was a great deal of discord between the speech that the hon. gentleman was moving and the speech that he was making, and I trust the public will not take for gospel all that was contained in the latter.

Hon. PROV. SECRETARY—I think there can be no objection to the adoption of the usual course in reference to the Address. There may at times be a convenience in passing the reply upon the same day as that on which it is moved, but there may be also much inconvenience. I can assure the hon. gentleman who has just spoken, that we will only be responsible for the sentiments contained in the written speech, and when my friend from Kings was tempted by the field which opened up before him to stray on and cull a flower or two, I have no doubt he was induced to adopt that course by the example so freely set him by gentlemen at

the other side, who are accustomed to take very great credit to themselves when the country is prosperous under their management.

Mr. ARCHIBALD—It is quite evident that the Administration will do nothing for which they cannot avail themselves of the plea afforded by our example.

The Answer to the Address was, on motion, laid on the table until tomorrow.

The House adjourned to Friday at 3 o'clock.

FRIDAY, Feb. 23, 1866.

The House met at 3 o'clock.

THE ADDRESS.

Dr. HAMILTON moved that the address in answer to the Governor's speech do pass. (Mr. Archibald being absent, it was understood that the address should be adopted, excepting the last clause, to give that gentleman an opportunity of expressing his views.)

Mr. ARCHIBALD—I know not whether it was by accident or otherwise that the clause which has been left for me to oppose is that which expresses gratitude to Providence for the blessings of the past year, one which of all others I feel disposed to endorse. I recollect there was a celebrated writer who once sent a letter in which he thanked God that his work was done, and the reply made by the individual to whom it was addressed was "that he was exceedingly happy to find that Dr. Johnson had the grace to thank God for anything." If I were disposed to cavil at this clause at all it would be on a similar ground, and I would merely express my pleasure that the Government have had the grace to thank Providence for anything. I must say I have not a great deal of fault to find with the Government as far as the address and answer are concerned, for they are to a great extent non-committal, and if I have found it my duty to make any observations at all, it was only on account of the entirely unprecedented address of my honorable friend to whom the motion was entrusted. It is quite clear that the object which the Government had in view in framing such an address and reply was, that we should pass to the business of the House and the country without having our time occupied with a preliminary discussion, and had the honorable member for Kings accepted the position thus pointed out to him, I would have felt I was not doing my duty in detaining the House for a single hour or a single minute in discussing the topics to which reference has been made. More than that, if these observations, which appeared spontaneous, had not been circulated on the wings of the press to the people of this Province, I would have been silent, but although in the *Reporter* of last night not a word was said as to the nature of these observations, I regret to find that they have been fully circulated in the papers of this morning. Under these circumstances, and after remarks made in such a depreciatory tone, I feel I would be worse than criminal were I to sit here without strenuously protesting against the course which has been pursued. I do not intend, however, to go into an elaborate review of the foundation on which the hon gentleman based his argument, but does that hon gentleman undertake to tell this house that the increase in the prosperity of this country, the increase

of her trade and of her revenue, are due to the Government by whom our affairs have been managed for the past three years? I will do him the justice to say, that I do not take such to be his intention, and that I imagine he is willing to make some considerable deduction for the natural growth of the country, and that he did not mean to assert that her expansion of trade and great financial success are altogether due to the ability and management of the gentlemen who occupy the Treasury benches. Whatever his meaning was, I challenge him to put his finger upon a single line, in reference to any financial matter, which has been altered since their predecessors went out of office; and yet he presumes to take credit for all, excepting a small deduction, of our prosperity, as due to the ability of the gentlemen whom he supports. I just ask him, and I think it but fair he should give me his reply without the suggestion of his leader, whether he can point to a single line, or to half a line, that has been added since these gentlemen came into power that has increased our revenue. If he fails to do so, I think it will be seen that the deduction which he has made is entirely inadequate. Every body must be prepared to admit that circumstances have occurred which have made a most material difference in the trade of our country. The hon. member has told us how the revenue fell off in 1861 and 1862, but is he going to ignore entirely the fact that during that period an internecine conflict of immense proportions interfered with our commerce, and suspended the operations of industry in the neighbouring States. Was all this to take place without an interruption of trade when one-third of that trade was with the country involved in the civil war? When the first gun was fired a large portion of our exports immediately fell off, and so they continued to decline during the continuance of that struggle; and yet we are told that the decline was owing to the Government which managed affairs at that time, and that therefore the increase of trade, when trade was turned into new channels, is due to the energy of the gentlemen now in power. Is the hon. member also prepared to say that if the repeal of the Reciprocity Treaty, to the consequences of which many of our people look with the utmost foreboding, should again cause a large portion of our exports to fall off, the Government will be responsible for the results? Bad as I think the management of the present Government has been, and much as I am disposed to condemn many of their proceedings, I should be sorry to blame them for that over which they have no controul, and yet in that case they would be as responsible as we were for the effects of the convulsion in 1862; and when the hon member asks the people to believe that our present prosperous condition is due to anything else than circumstances, he is asking us to give credit to that which the merest tyro in such matters would reject as unworthy of belief. He has spoken about the state of the tariff in 1860 and the subsequent years;—there was no alteration to any significant amount, however, and he will find that the imports are exactly synonymous with the revenue, which increased exactly in proportion as the tariff was raised, and he will further find that anything which accounts for an increase of imports accounts for an increase of revenue.

I know it will be said that gentlemen on this side of the house have been in the habit of taking credit to themselves when the country has been in a prosperous condition under their management; but I will answer, circumstances alter cases, and the circumstances under which we claimed credit were very different from those existing now. At that time a large part of our imports came from the United States, and facilities for smuggling existed to an extent infinitely beyond what they do now; but at present the entire current is reversed, and instead of requiring the vigilance which once was necessary, our revenue is collected with ease at those seaports which have intercourse with Great Britain, and we fairly at that time claimed what we had a right to claim, because on the vigilance which was exercised depended the resources we commanded. I say, therefore, as to the first part of the honorable member's speech, that he has been using two arguments doubled into one; and, that as far as our present position is concerned, there are circumstances connected with our trade which enable us not only to collect duties on imports for home consumption, but duties on articles intended for consumption in the United States, and that under such circumstances our trade cannot but increase and prosper.

But the honorable gentleman has referred to the increase of our coal trade, and I would again, in reference to that department, ask him to put his finger upon any thing that has been done to increase that trade. Does the government work a mine, by the proceeds of which they have swollen the receipts? I believe they have one mine which they make an extensive source of profit to themselves, and that is the Treasury which they control, but I am not aware of any other mine into which they delve deep to extort the precious metal, although the hon. member may be able to point one out to us. I find that in 1860 the entire export of coal was but 130,000 chaldrons, while in 1865 it amounted to 430,000 chaldrons, so that in a part of five years the enormous export of coal, swelling as it does the total of our exports, has risen to three times what it was five years ago. But suppose it just possible, that in one of the inscrutable dispensations of Providence by which He sometimes inflicts an unworthy Government upon a Province, an administration even worse than that at present existing were to come into power, and the Reciprocity Treaty were to continue, does he mean to tell us that any government, however bad, could prevent our coal mines in the various parts of the country from yielding their supply? Does he mean to insult the intelligence of the House, and the intelligence of the freeholders whom he represents, by telling us that the government have anything to do with the increase in our coal exports? Not content with that, the honorable gentleman has gone into the Crown Land Department; but I ask him again to point me out a line, nay, half a line, a word, a syllable, or a letter that has been changed by the government which he adores? and yet he would go down on his knees and say to these Baals, "It is to you that we are indebted for all this." But he must even go further and refer us to the Railway Department, although I should have supposed that if there

was anything he would have avoided it would have been getting off the track upon the railway. Now, I can tell him, bad as he thinks the late government were, they can take credit for far more than has been done by the present; for in 1859 the railway department, instead of paying its working expenses, left a loss of over £2000, which had to be taken out of the public treasury, besides the entire interest of the money expended on the road; and when we came into power in 1860, at the end of the very first year of our administration, so far from there being a balance against us, we had £5067 to the good.

DR. HAMILTON.—Should that go to the credit of the Government?

MR. ARCHIBALD.—Certainly, for that was a revenue which the Government could control; they don't work the mines; nor take out grants of Crown Lands, but when that department is economically or profusely managed there is all the difference in the world, so that the honorable gentleman's interruption only enables me to give him a more euphatic reply. Now then the only department that the present Government could do harm to they did injure, for while there was that balance to the good (amounting in the year on which we went out of office to £9,295, and shewing that though we took charge of affairs with an annual loss to be met, we converted that loss into a profit), the very first year these gentlemen held the reins of authority that balance was reduced to £3427. That the receipts have increased from year to year is due, not to the Government, but to the great increase and growth of the various interests of the country and of the trade upon which this revenue depends. I have asked for lines and for syllables, and I will ask now have the Government altered the fares? Have they done any thing to account for the increase, excepting only the additional work on the line which of itself has largely increased the traffic? As far as the construction of the Picotou line is concerned, I have given the government all the aid in my power, but is it to be supposed that the expenditure of half a million of money, a large portion of which necessitates traffic, should not add to the Railway Revenue? Therefore while these facts are considered, a large allowance must be made for the demand which construction makes upon the energies of a country, and anybody who has seen, as I have had opportunity of seeing, the large amount of traffic which that construction occasions will be able to understand this circumstance.

Having made these remarks in a very hurried manner, I will apologize for having called attention to matters which have been discussed before, but I think the house will feel that if I have felt it my duty to do so, it was not because I had no provocation, and if the hon. member for Kings had followed the cue given to him by the government, I would have been entirely wrong in making these observations; but I think no one would have asked me to sit silent after hearing a government of which I had been a member assailed, and after hearing the present prosperity of the country ascribed to the superior skill of our successors. Of that prosperity I think I may say that, gentlemen on this side of the House are as proud as gentlemen opposite, and will

be as desirous of seeing fair use made of the resources thus placed at our disposal, and we only hope and pray that our revenues may largely increase, feeling that the time may not be far distant when we will understand their value. Those who reflect upon the repeal of the Reciprocity Treaty must feel the approach of a period in our history when it will become us to make every exertion we can, and to refrain, as far as possible, from incurring liabilities, that we may be prepared for what awaits us.

On the conclusion of the hon. gentleman's remarks, the Address passed by unanimous consent.

REVISING COMMITTEE.

The following Revising Committee was appointed:—Provincial Secretary, Attorney General, Locke, Archibald, Tobin, Annaud, Blanchard.

ANSWER PRESENTED TO HIS EXCELLENCY.

The House at a quarter of five o'clock proceeded to Government House and presented the answer to the Address. The Speaker, on their return, announced that His Excellency had been pleased to make the following reply:

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

I thank you for your loyal Address; the personal allusion to my own services is most gratifying to me; I feel satisfied that the business of the session will receive due attention at your hands.

THE INTERNATIONAL EXHIBITION AT PARIS.

Hon. PROV. SECRETARY moved the following resolution: Resolved, That in the opinion of this house it is most important that the resources of this Province should be known abroad as widely as possible, and that his Excellency be authorized to make the necessary arrangements to have Nova Scotia duly represented at the International Exhibition to be held at Paris in 1867, and that this house will provide the necessary funds for the purpose. In moving this resolution, the hon gentleman referred to the great advantages that the Province had derived from having been represented at the great London Exhibition in 1861, as well as at the smaller one of Dublin held more recently. Such exhibitions tended to give that publicity to our manifold resources which was absolutely required to bring capital and skill into the country. The approaching exhibition at Paris would perhaps exceed any one that has been hitherto held in Europe. The long period given for preparation would enable all countries to make the arrangements necessary to place their productions in the best light possible before the many thousands of the most intelligent men and women of the world who would visit that most remarkable collection of the wealth of nations.

Mr. ARCHIBALD expressed the pleasure he felt in seconding a resolution which commended itself so greatly to him. If the matter were new to the house—if gentlemen were asked for the first time to expend public money for such a purpose as the resolution proposed, there might be some reason for hesitation; but the undoubted benefits which this country had derived from her representation at previous exhibitions were a conclusive argument in favour of most energetic efforts in connec-

tion with the great World's Fair at Paris. Previous to the London Exhibition of 1861, the ignorance that existed in Great Britain in respect to the capabilities of this Province was most deplorable. That exhibition dispelled to a very large extent the existing ignorance, and gave the world some idea of the resources of this much depreciated province. The approaching Paris Exhibition would in all probability, be one of the grandest affairs of the kind the world ever witnessed, and he therefore seconded the resolution before the house with the greatest cordiality.

THE RECENT DELEGATION TO ENGLAND—ITS RESULTS.

Hon. PROVINCIAL SECRETARY next laid on the table copies of correspondence relative to the recent delegation to England, composed of himself and the Attorney General, and in doing so, made remarks to this effect: I may say this subject was not referred to in the Speech with which the session was opened, because that delegation which took place during the recess, not having received the previous authorization of the Legislature, it was thought more in unison with the feelings of gentlemen on both sides, if we deferred making any mention of the subject until the papers connected therewith were submitted for consideration. You are aware that the action of the Legislature during the last session called the attention of the government during the recess to a number of very important matters. The legislation of this house authorized us to enter into contracts for lines of railway from Truro to the borders of New Brunswick and from Windsor to Annapolis, upon certain specified terms. That legislation was communicated to certain parties in England and elsewhere whom the government knew were desirous of contracting for these public works. Some time after the prorogation of the House the government received a communication from the International Contract Company (with whom we had previous correspondence which was submitted last session) intimating that they were prepared to discuss the project of constructing the proposed lines of railway with authorized parties. Inasmuch as the legislation of this House required the joint action of New Brunswick in order to connect our railway from Truro with that of the sister province, I proceeded soon after the prorogation, by command of His Excellency to Fredericton where the Legislature was still in session. My object was to ascertain whether the Government of New Brunswick was prepared to act in connection with our own in conformity with the legislation which had passed this House. I placed myself in communication with the members of that Government, and after mature deliberation we were entirely of opinion that this subject could only be satisfactorily dealt with by means of a delegation from the governments of the two provinces to England. At London they would be able to personally confer with the companies and capitalists who might be prepared to undertake this work, and especially with the company with whom we had previous correspondence. You are also aware that a Committee of this House have called the attention of the Government to the great importance of doing everything in

their power to continue the Reciprocity Treaty on terms favorable to this Province. The attention of this government had also been drawn by the Committee on Fisheries to the exaction of duties by the Newfoundland government from our fishermen on the Labrador coast. Money had also to be provided for the construction of the Pictou line of railway on as favorable terms as possible. The government, too, had been authorized by this house to obtain the services of a thoroughly competent Inspector of Mines. Immigration was another subject which we felt was pressing upon our notice, and might be considerably promoted by the information we would be able to obtain in London on the subject. The result was that the Attorney General and myself were appointed delegates to proceed to England in connection with these very important questions. We proceeded to England and the result of our visit is detailed in the papers which are now before you.

I may state, however, that we had the honour of an interview with the Right Honourable the Secretary of State for the Colonies soon after our arrival. At that interview my colleague and myself stated the deep interest the people of Nova Scotia felt in the renewal of the Reciprocity Treaty, and called the attention of Mr. Cardwell to the fact that, notwithstanding the representations made by this Government upon the right to be consulted in relation to any treaty which would deal so largely with the territorial interests of this Province, we observed with surprise and regret that in the paper recently laid before Parliament, and which we had seen for the first time after our arrival in England, it was stated that Sir Frederick Bruce, the British Minister at Washington, had only been instructed to confer with the Government of Canada upon that subject. Mr. Cardwell replied that the action taken by her Majesty's Government had been at the instance of a deputation from the Canadian Government, and that they would now be prepared to give the fullest consideration to any representations which we had to offer on the part of Nova Scotia. We urged the rights which all the Provinces interested had to be consulted in regard to a Reciprocity Treaty affecting the whole, and the increased weight which their joint and co-operative action would give to any proposals which might be submitted, and the greater security which would be afforded that any treaty concurred in by representatives from the different governments of all the colonies would be accepted by the various Legislatures by which such treaty would require to be adopted. We also referred to the desirability of an early understanding between the governments of the different colonies as to the best means of meeting the altered circumstances in their trade, in case the Reciprocity Treaty were not renewed. At a subsequent interview Mr. Cardwell did us the honour to submit the draft of a despatch to his Excellency the Governor-General, authorizing his Lordship to summon a Confederate Council upon commercial treaties, to be composed of representatives from the governments of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island. In response to the action of that Confederate Council, subsequently held under the auspices

of the Governor-General, arrangements were made to send deputations to the West India Islands and elsewhere for the purpose of opening up, if possible, new channels for trade, and meeting the emergency that might arise from the repeal of the Reciprocity Treaty.

We placed the matter of the exaction of duties on our fishermen on the coast of Labrador in the strongest light possible, though I regret to say that the correspondence which is here detailed did not result as we would wish. There is no indisposition on the part of the Imperial Government to give effect to the views of this Legislature, but the Secretary of State has decided that the law under which the Government of Newfoundland has levied these duties having received the assent of Her Majesty, there is no power remaining in the hands of the Imperial Government enabling them to interfere with the matter; and the only course that under the circumstances remain to us is to test the question in the Courts of Law in Newfoundland, and then if necessary by appeal to the Privy Council. I have little doubt that such a course would prove the illegal character of this exaction.

We placed ourselves in communication with the International Contract Company in reference to the construction of the proposed line of railway. Having satisfied ourselves, by careful enquiry, of the ability of the Company to fulfil their engagements, we were extremely anxious to embrace the line to Annapolis, as well as that to New Brunswick, within the contract; but the obstacle interposed by the clause in our act providing for the construction of those lines, which authorizes the Government at any time forever to assume the ownership of the line, was so great that we were defeated in that object, and but for the combination of interest between the International Contract Company and a company in course of organization, with a large capital, for the purpose of opening the Spring Hill Coal Mines upon an extensive scale, we could not have effected a contract even for the Trunk line. In the course of those negotiations we found it necessary, for the purpose of promoting the construction of the Railway, and opening the mines, to assure the Hon. Mr. Dickey and J. Levisse, Esq., who represented some ten mining rights of search at Spring Hill, that the Government would give to the holders of those areas the fullest privileges consistent with the law and regulations relating to mines. I may here mention that a contract was simultaneously entered into between the representatives of the New Brunswick Government and the same company, for the extension of the line from the border of New Brunswick to Moncton. As the whole question of the contract is fully detailed in the papers before you, I shall merely draw your attention to the fact that there is one respect in which we consented to depart from the legislation of last session. I am sure, however, that our action will meet with the hearty concurrence of both sides of the House. We relinquished the right on the part of the government to capitalize the subscription, unless by mutual consent, and this Province has been relieved from the obligation to take £80,000 stg. of stock, authorized by the act,—six per cent. interest on that amount for twenty years being accepted as an equivalent

therefor. The latter step we took after consultation with the Messrs. Baring, who thought it would improve our condition in the money market.

I have already stated that we were unable to make any arrangements whilst in England for the construction of the railway to Annapolis. The International Contract Company objected to touch the line at all under existing circumstances. They wished to make a survey of the ground first before entering on any contract for the work. We made, however, all the efforts we could to carry out the desire of the Legislature in respect to this railway, and were placed in communication with several parties on the subject. The papers that will be immediately submitted to you will show that the matter was subsequently placed in a satisfactory position. Two gentlemen came out somewhat recently—Messrs. Harris and Smith, two eminent engineers of London—for the purpose of entering into negotiations for the construction of the railway to Annapolis. Having examined the line they returned and informed us that they were prepared to enter into a contract on behalf of well known railway contractors in England for the construction of the railway. They required that the bridge to be built across the Avon should be owned by themselves, and this we agreed to. The government were, however, enabled to take a step in connection with this concession that will meet with your approval, and that was, that the company should not only build a railway bridge, but one which would be the property of the Province and afford a highway to the people. The toll bridge across the Avon has long been a source of great annoyance to the public, whilst it is not likely to last very long. When these gentlemen stated that they were prepared to enter into a contract for the construction of the work, we carefully considered their proposition. The contract was entered into with Messrs. Smith and Harris, on behalf of George Knight & Co., railway contractors in London. They were known to us as having successfully carried through several most important railway works in Great Britain. The contract, however, made this proviso: that unless George Knight & Co. directly entered into arrangements to the satisfaction of the Governor and Council—showed that they had the disposition and means to carry out the work—by the first of February ensuing, the contract should be declared null and void. I may here observe that one of the engineers in question, when they entered into the contract, showed authority from George Knight & Co. to enter into engagements for the construction of works in this province. However, the House will be glad to learn that by the first day of February Messrs. Smith & Harris returning, bringing full powers of Attorney from George Knight & Co., accompanied by a letter of credit from some of the most eminent capitalists in Great Britain,—Sir John Dalrymple Hay, Bt., Mr. Chapham, Mr. O'Birney, &c.,—stating that they were prepared, on the passage of an act incorporating the Annapolis and Windsor Railway Company, to find the capital necessary to complete the work. Under that authority the contract has been entered into with George Knight & Co., through Messrs Smith & Harris, and an act will be introduced to incorporate the Windsor and

Annapolis Railway Company, under which these eminent capitalists to whom I have referred will be bound. The work is to be commenced in May and finished in two years.

The correspondence with Messrs. Baring will show the success which attended our efforts to secure the funds required to construct the Railway to Pictou. The agreement upon the part of that eminent firm to furnish money as required, in advance of sales, and at a rate which will be equivalent to the sale of bonds at par, must, in the present state of the money market, I conceive, be highly satisfactory.

Only two or three other subjects require mention at my hands. We were enabled to secure the services of a gentleman as Inspector of Mines, whom, after the most careful inquiry, we believe to be well qualified for the performance of that important work. He possesses the strongest recommendations from Thomas E. Foster, Esq., who stands at the head of the mining department in England. After making all the investigation in our power in regard to the subject of Immigration, we arrived at the conclusion that, to effect any considerable results it would be necessary to have an agent or agents to act in London and other places for the Province, and that some means of cheap and direct transportation from emigrant ports to this Province must be provided. Finding an opportunity of obtaining some very superior stud horses and brood mares of the best thorough-bred stock, and some superior Leicester sheep, we assumed the responsibility of acting for the Provincial Board of Agriculture in that matter, and we are gratified to find that our selections have met with their sanction, and are approved by many of the best judges of stock in the Province, including the Central Board of Agriculture.

The honorable gentlemen having concluded introduced a bill "to incorporate the Windsor and Annapolis Railway," embodying the legislation of last winter. He stated it was the intention to pass it with as little delay as possible.

The House then adjourned.

SATURDAY, Feb. 24.

COMMITTEES.

Hon. PROV. SECRETARY submitted a report from the Committee appointed to prepare a list of the various Committees of the House, which was laid on the table.

Hon. ATTY. GENERAL gave notice that the Committee on Printing and Reporting would meet on Monday morning at 10 o'clock.

COLONIAL NAVAL DEFENCE.

Hon. PROV. SECRETARY, by command of His Excellency, laid on the table of the House a copy of a despatch and enclosures from Right Honorable the Secretary of State for the Colonies in reference to Colonial Naval Defence.

Mr. ANNAND asked whether the Prov. Secretary understood the object in transmitting these papers to be that each Colony was called upon to make provision for local defence, and whether the papers had special reference to the Colonies of British North America?

Hon. PROV. SEC'Y replied that he was inclined to think that the documents had no special reference to the British North American Provinces, but that, on the contrary, the

first Colony claiming the privileges held out by the Imperial Parliament was the Colony of Australia, and the provisions contemplated were made especially with a view to meet the desire of the Eastern Colonies, that they might be enabled to have any measures which they might wish to take for local defence placed in connection with the Mother Country. There could be no question at all that the scope of the legislation referred to in the papers would be to enable the Provinces to avail themselves of an opportunity of contributing to their naval defence, and the scheme was in extension of the system which had been in operation in the British Navy, viz., that of having a class of persons not immediately in the Navy, but in a position to be called on to take part in such defence when required. He agreed, however, in thinking that this was a very broad hint and a very leading suggestion as to the duty incumbent on us to aid the Imperial Government in the defence of the Empire.

Mr. ARCHIBALD asked whether the Prov. Secretary was in a position to state to the House the regulations in reference to the Naval Reserve of Great Britain.

Hon. PROV. SEC'Y replied in the negative, remarking that he had not given the subject a very close attention, believing this Province not at present in a position to act upon the suggestions.

Mr. ARCHIBALD said, that in view of the fact that the time might be approaching when it would be necessary for the Province to make some such effort as that referred to, it might be well for the Legislature to avail itself of the advantages conferred by the Imperial Act.

PICTOU RAILWAY.

Hon. PROV. SECRETARY—I beg leave, Mr. Speaker, by command of his Excellency, to lay upon the table of the House copies of correspondence relating to the extension of the Pictou Railway, and I am anxious to avail myself of the first opportunity to bring them to the notice of the House. It will be remembered that the Legislature of the country entrusted to the Government the construction of the line from Truro to Pictou Harbor. The subject had for a long time engaged the attention of the House, and the party now in power, when in and out of office, had again and again pledged itself to proceed with the extension as soon as the country was in a position to command the requisite funds without material injury to its credit. When, therefore, the Government devolved upon the gentlemen now engaged in the administration of public affairs, and when they were enabled to meet the Legislature under financial circumstances which bound them to fulfil those pledges, they considered it incumbent upon them to carry forward that Railway with all possible despatch. I may say frankly to the House that the policy of constructing Railways by Governments was not our policy, and that all the experience which I have had in office, and all the observation which I have had an opportunity of bestowing upon affairs when in opposition have tended to convince me that such construction is not the legitimate province of the Government or the most desirable mode of extending the public works. But the policy having been adopted by the country, the Government did not find themselves in a position

to make a choice, but were obliged to carry on the work by the best means in their power.

The House will recollect that when it was proposed to give to companies authority to construct the lines objections were made to the Pictou line being included in the provision on the ground that embarrassment might arise from having one portion of the line under Government control and the other portions under the control of companies, and it was accordingly struck out. One of the greatest objections that I have always felt existing to the construction of Railways by a Government arose from the fact that it is a business in which they must be compelled to rely for information and guidance on persons outside the administration itself, the Government being thereby placed in the difficult position of having to expend large amounts in connection with undertakings on which their own information is limited and for the success of which they must be dependent on the judgment and opinions of those whose services they may engage. The decision having been arrived at by the House that such a system should be adopted, the Government felt that the only means by which they could discharge the great responsibility resting upon them would be by obtaining the services of an independent engineer of known character for integrity and skill, because on that officer they must very largely depend. In the selection of Mr. Fleming, the person employed as Chief Engineer, they believed and still believe, that they accomplished the duty of securing the most competent and able officer whose services could be obtained. It will be remembered that shortly after the formation of the present Government I had to proceed to Canada, in connection with the Provincial Secretary of New Brunswick, for the purpose of arranging for a survey of the Intercolonial Railway. When we arrived in Canada, and placed ourselves in communication with the existing Government of that country, and asked them who was to be selected as the engineer on their behalf, (it being agreed that one engineer should be nominated by Canada, another by New Brunswick and Nova Scotia, and another by the Imperial Government), they stated to us their intention of appointing Mr. Sanford Fleming. Being unacquainted with the position which this gentleman held in Canada, we felt it our duty to place ourselves in communication with gentlemen in opposition,—and if there ever was a time in the history of that country when parties were in great antagonism, it was when the McDonald-Dorion Administration was opposed by the McDonald-Cartier Opposition, as I may call it; when we named the gentleman selected by the Government, and asked his character and standing, and enquired whether there was any reasonable ground of objection to the selection, the reply was that Mr. Fleming's standing and character were such that if the government had been in their hands he was the first person to whom they would apply. Mr. Tilley and myself, having gained all the information that we could gather from every source, applied to Mr. Shanley, a gentleman now in Parliament, and he not only declined himself to undertake the duties which we wished discharged, but fully confirmed the opinion we had already received respecting Mr. Fleming. The result was that we came to the conclusion of naming Mr. Fleming as the

engineer on behalf of the Provinces of New Brunswick and Nova Scotia, as well as Canada, and this decision being reported to the Imperial Government, they were called upon to name another engineer, who should represent their interests. Their answer, which is to be found, I think, in the Journals of 1864, was to the effect that being advised that a gentleman of such unexceptionable character had been appointed, they were desirous that he should protect their interests as well, as they had every confidence in his ability and integrity. The House will, therefore, believe me when I say that when we turned our attention in that direction, we did so under the belief that we had the best evidence that we could not better subserve the interests of the country than by the choice of Mr. Fleming as our chief engineer. He was accordingly invited, and appointed to discharge the duties in connection with the work of Railway construction.

The difficulties arising in the course of the work on the Pictou line, the House is aware, were unusually great. In the first place, the location of the route was a question on which different sections of the country through which it was to pass entertained diverse opinions, but being themselves entirely destitute of information, the Government felt that the only course by which the question could be settled was to submit it to the engineer who had been employed, and Mr. Fleming having not only made a selection of the route, but stated at large his reasons for the choice, and the Government believing his selection a judicious one, and having no desire but to secure the most advantageous line, adopted his report. It was well known that the construction involved many other serious difficulties, for we had previously employed Mr. Laurie, a gentleman who then enjoyed and still enjoys the high opinion of the present Government, and he had been engaged to make a survey of the route, fully understanding it to be our desire to show that the work could be completed at a cheaper rate than that for which the existing lines had been built. But notwithstanding this, the report of Mr. Laurie is on our Journals, in which he states his belief that it could not be done at less than £10,000 per mile, that the country was rough, that the construction would be attended with great engineering difficulties, and very heavy expense, and that he could not hold out a prospect of its completion for years. The report laid on the table by the Government last session shewed that after the work was put up to public competition, and after the selection of those tenders which were deemed the best had been made, it was found the expense of construction could not be reduced to less than \$2,216,500, but ascertaining that we were extremely anxious that the cost should be brought within \$2,000,000, the engineer suggested that by a slight alteration of the grades, which would still make the work of excellent quality, he would be able to bring it to near that amount, that report being based on the expectation that the work could be completed by the contractors for the amount of their tenders. The House is aware that instead of adopting a course which was found impracticable by both parties; instead of expecting that these contractors, without any definite information, would be enabled to state in precise terms the amount for which they would undertake the work, that course was abandoned and all tenders were framed on

a scale by which every contractor was to be paid for every yard of work done by him; thereby avoiding the almost inextricable difficulties caused by large claims for extras. That, then, being the scheme on which the tenders were based, the engineer was enabled to make the exact estimate which gave \$2,216,500 as the total cost. The contracts were based on these tenders, and the parties proceeded at once to engage in the construction of the line. One of the first difficulties that we experienced, and it met us very early in the work, was an application on the part of a body of the contractors to inform us that they found it impossible to obtain the requisite labor in the country, and that so far from being able to procure it on the former terms, they would be unable to carry on the work at the existing rates; and the chief engineer confirmed these statements and advised the Government to assist the contractors in procuring hands. We, therefore, entered into arrangements for bringing additional labor into the country, but these efforts I will frankly confess, were very unsatisfactory to the Government, and the result was anything but encouraging. It was ascertained by us that the labor which could be procured was entirely inadequate to the completion of the work within the time contemplated by the contracts, and in a short time one of the contractors, who was known to be as industrious and energetic as any, came forward and said that he was obliged to resign his contract into our hands. The Government then proceeded to put the contract up to competition, but the prices offered were so much in excess of the original amount, that we found ourselves just in this position: that if this contract were let at a so much higher rate, we had every reason to suppose that all the contractors on the line would pursue the same course, and the result would be that the cost would be far beyond what was contemplated.

Under these circumstances, instead of adopting a course so unfavorable to the interests of the country, we decided, notwithstanding the inconvenience of such a policy, to carry on that section as a Government work under the supervision of the Engineer, and all the tenders were accordingly rejected. The result, however satisfactory, did not prevent it coming to our knowledge that at the rate at which the work was being proceeded with, a number of years must elapse before the line could be opened for traffic. We were in that respect placed in a very awkward position, for arrangements had been entered into with gentlemen who were intending to invest in our Coal Mines and we had given assurances that intercourse would be opened at no late day, so that very great disappointment would result to these gentlemen, and the country would have good reasons to complain. We called on Mr. Fleming therefore for a full report of the existing condition of the work, asking him to state the quantity of work done and the quantity remaining to be done, in order that we might judge of the proportion and ascertain when they could be carried on to completion; but it soon became known to the government that the contractors had not only abandoned all hope of completing their sections within the stipulated time, but had decided that the first loss was the best and were intending to give up their engagements. When we received the report from Mr. Fleming, it will be seen that the exhibit given was of the

most discouraging character—that taking large sections, the amount of the work and the time to be taken were disproportionate—that years must elapse before the completion. Under these circumstances, and being desirous to press the work, we believed we were acting in accordance with the interest of the country in calling upon the chief engineer to state whether he could suggest to the Government any means by which the work could be brought on more rapidly for anything like the amount stated in his estimate. In reply, he suggested that the Government should assume the entire responsibility, relieving the contractors of the difficulties into which many of them had fallen, informing us that by such a course the line could be opened from Fisher's Grant to the mines by September of the present year; that at an early day it could be completed to within 24 miles of Truro, and that by May, 1867, the line could be opened for traffic, for although not completed, he believed the work could be so pushed forward as to complete it in a short time thereafter.

The Government, after mature consideration, and after giving the subject their most careful attention, decided to adopt this advice: to pay the contractors in full, including the 15 per cent. which had been retained; to discharge the sureties; to get rid of all those claims for extras which would result in swelling up the cost of our railways; and to carry on the work by their own direct intervention, under the management of the engineering staff. I need not say that in so doing, the Government had great confidence in the talent and integrity of the chief engineer, otherwise they would not have assumed that position. The work proceeded in this manner with satisfaction to the Government, but it was soon perceived that while the chief engineer would doubtless carry on the work with all possible economy, the Government were compelled to assume very large and unpleasant responsibilities, which in all such previous undertakings devolved upon contractors; and if from the cost of labor and other difficulties, it should be found that the objects in view could not be realized, they would have to pay whatever amount the construction would cost, with no other pledge than the reputation and character of the chief engineer for the completion of what had been undertaken. It was also found that some difficulty would arise from the strict frugality involved in this course; and under these circumstances, we called on the chief engineer to state on what terms he would be willing to engage as contractor for the whole line, binding himself to complete it as an ordinary contract. The answer, which is contained in those papers, shews that Mr. Fleming stated that in making the estimate, amounting to \$2,216,500, he had relied on the hope that the contractors would be able to carry on the work according to agreement, but he attributed the fact that they had not been able to do so as well to want of skill and knowledge on the part of contractors as to any other cause, and he was of opinion that under skilful management the line could be completed, in accordance with the portion already done, not only for the sum named, but for \$100,000 less. Now, we felt that though it would involve a great deal of responsibility, such a course would be more satisfactory to the House and to the country; for the work would thereby be carried on by a contractor upon the

terms of the original contract, and in conformity with the very sections in reference to which Mr. Fleming himself had exacted a higher quality of work than was ever required in the country before, (the contractors having complained that though the quality exacted was not too high for the specification prepared, yet a more rigid construction than was previously known here had been given to that specification.)

We knew, then, that Mr. Fleming could be bound not only to complete the line according to specification, but that of all the different classes of work samples had been done under his supervision,—and the Government, after giving their position the most serious deliberation, thought they would be placing matters in a most satisfactory position by giving these propositions attention. They therefore placed the specification, the original tenders, and all the necessary documents in the hands of Mr. McNab, a gentleman who occupied the position formerly held by Mr. Perley, and whose credentials prove him to have been engaged in Railway construction, to be intimately acquainted with their management, and to have obtained the highest reputation in Canada and the United States, and who was then engaged in the public works of this country, and he was called on to state his opinions as to the advantage to be derived from adopting the proposal. By the report of that gentleman, you will see he pronounced its adoption advantageous to the interests of the Province. The proposal was accordingly adopted,—Mr. Fleming engaged as contractor, and bound himself to complete the work by the end of May, 1867, for a sum within his own estimate by \$100,000. I can only add that all the care and consideration that could be given by the Government was given, and the result arrived at they fully believe would subserve the interests of the country. And I may add, in conclusion, that Mr. Fleming has resigned his office of chief engineer, and Mr. McNab has been appointed in his place.

In answer to an enquiry by Mr. S. Campbell, the hon. gentlemen also stated that the Government retained, as security for the due performance of the work, a certain portion of the money as the railway progressed. The papers before the House fully explained all such matters.

DESPATCHES.

HON. PROV. SEC. laid on the table circular despatches from the Colonial Secretary on the following subjects:—Relative to mode of verifying legal and other documents passing through the Colonial Office; relative to naval cadetships, (the names of nominees by the provinces must be sent in within the first three months of the year in which the nominations are to take place, or else the right must be considered to have lapsed) relative to the Treaty with the Zollverein.

The Windsor and Annapolis Railway Bill was made the order of the day for Monday.

The House then adjourned until 3 o'clock, on Monday.

MONDAY, Feb. 26, 1866,

The house met at 3 o'clock.

BILLS.

MR. BOURINOT introduced a bill entitled an act to incorporate the New York and Cape Breton Coal Company. Also a bill entitled an

act to incorporate the Collin's Coal Company. Also a bill entitled an act to amend the act to incorporate the International Coal and Railway Company and the acts in amendment thereof. Also a memorial from the Boston and Bridgeport Coal Mining Company and a bill to amend the act incorporating the said Company in accordance with the prayer thereof.

POST OFFICE REPORT.

Hon ATTORNEY GEN'L by command of His Excellency laid on the table of the house the report of the Post Master General for the past year, also minor reports relating to the various branches of the Post Office Service. From these documents he said an abstract had been prepared shewing as follows:

1 Post Office and 44 Way Offices added during the year.

There are now 81 Post Offices and 513 Way Offices in operation.

Ten new Post routes have been added, and 15 altered and improved.

Number of Mail Contracts to 30 Sept., 1865 was 233 at total cost of \$45 533.22.

Number of miles in rides 4668.
Annual travel of mail 1,005,078 miles.
(A daily mail from Sydney to Halifax having also been opened during the year.)

LETTERS.

Halifax Office.....745 000
Country Offices.....980,000

Total.....1,725,000

NEWSPAPERS.

Halifax.....2 568 000
Country Offices.....1,683 000

Total.....4,231,000

Being an increase over last year of 282,000.

REVENUE.

Gross receipts.....\$71,660.02
Increase over last year.....6,893.54
Nett income.....62,371.75
Increase.....6,164.14

EXPENDITURE.

\$80,947.02; increase \$7,783 41—(caused by additional mail carriage.)

Increase of deficit over 1864 \$15.

Entire deficit of 1865 \$18,575.27.

PARCEL POST.

Halifax Office.....1187 Parcels.
Country do.....211 do.

Total.....1398

Amount of Stamps sold.....\$41 408 in 1865.

Do do do.....48,756 in 1864.

Increase in 1865... \$5,652

Total Dead Letters, 7947.

25 contained money.....\$147.95

13 Bills of Exchange.....22906 50

Total.....\$29054.45

19 being registered.

MONEY ORDERS.

Number issued during the year.....9286

Total sum remitted.....\$378,716.25

Of this Amount:

To Great Britain.....\$86,146.16

To Canada.....6 785.60

To New Brunswick.....1,857.50

To P. E. Island.....43.85

To Newfoundland.....469.33

Orders paid during the year 7683—representing the sum of \$335 159.27.

Issued Money Orders shew increase 55 per cent. over 1864.

Paid Money Orders shew increase 52 per cent. over 1864.

The hon. gentleman stated that a requisition having been received from the Superintendent of the Halifax Money Order office shewing his

inability to keep up with the increased work of his department, the recommendation of the Post Master General thereon was adopted and an additional clerk was appointed. The papers were referred to the Post Office Committee.

HON. ATTY. GENERAL also laid on the table the Account Current in reference to the issue of Marriage Licenses.

STANDING COMMITTEES.

Hon. PROV. SEC. moved the adoption of the List of Committees reported previously. He stated that some slight alterations had been made since the list had been first reported up. The following is the list as it stands amended:

Privileges—Hon. Attorney General, Archibald, McDonnell S. Campbell, Hon. Mr. McFarlane, Locke Fryer.

Agriculture.—Hon. Mr. McFarlane, Blanchard, Hon Mr McKinnon, Parker, Hamilton, Hebb, Allison.

Education—Hon Provincial Secretary, Archibald, Hon Mr. Shannon, S. Campbell, E. L. Brown, Bourinot, Tobin.

Fisheries.—McDonnell, Ross, Cowie, Robertson, Jost, Balcom, Robicheau, Killam, Smyth.

Post Office.—Hon. Atty. General, Coffin, Donkin, Heffernan, Bourinot, Blanchard, Hamilton, Miller, Colin Campbell.

Mines and Minerals.—Hon. Mr. McFarlane, S. Campbell, Caldwell, Locke, Kauback, Annand, D. Fraser.

Public Accounts.—Jost, E. L. Brown, John Campbell, McLellan, McDonnell.

Railways.—Robin, Locke, Donkin, Blanchard, D. Fraser, Ray, Bill.

Law Amendments—Archibald, Hon Mr. Shannon, McDonnell, S. Campbell, Kauback, Miller, Donkin.

Navigation Securities.—Robicheau, Coffin, C.J. Campbell, McLellan, Kauback Heffernan, Moore.

Militia—Pryor, Parker, Jost, Heffernan, Hon. Atty. General, Colin Campbell, Blackwood, Bourinot, Kauback, Hebb, King.

Crown Lands—Whitman, Blanchard, McKay, Locke, Moore, Miller, John Campbell.

Indian Affairs.—Hon. Mr. McKinnon, Ross, Lawrence, Heffernan, Townsend, Colin Campbell, James Fraser.

Trade and Manufactures—Annand, Churchill, Hill, Coffin, Cowie, Ray, Bill, Killam, Hon. Mr. Shannon.

Reporting and Printing.—Hon. Atty. General, E. L. Brown, Longley, C. J. Campbell, Robertson, Tobin, Caldwell.

Humane Institutions.—Blanchard, Lawrence, Coffin, Allison, Ray, Caldwell, King, Townsend, James Fraser.

Penitentiary.—Hill, Balcom, Cowie, Parker, Churchill, Robertson, McKay, Allison.

City of Halifax Bills.—Hon. Mr. Shannon, Blanchard, Donkin, Balcom, Hill, Miller, Tobin.

Private and Local Bills.—Pryor, McLellan, Whitman, Blackwood, Lawrence, Donkin.

Land Magages.—Coffin, Moore, Balcom, Caldwell, King, Allison.

Contingencies.—Hon. Atty. General, Hatfield, John Campbell.

PICTOU RAILWAY.

In connection with his previous explanations on this subject, Hon. PROV. SECRETARY laid on the table the credentials exhibited to the government by Mr. McNab, C. E. He also explained that the government deemed it the most prudent course and the most respectful manner in which they could communicate to the country the alterations that had taken place in the construction of this work, to present a full statement accompanied by the necessary documents to the house. There was also another reason in favour of the adoption

of such a course which was that the Chief Engineer had been engaged negotiating and settling with the contractors for the work performed by them and it was thought that a premature announcement might be prejudicial to the public interests. He was however happy to be able to inform the house that all the contractors had been settled with, as he understood, to their entire satisfaction.

REPORT ON MINES.

Hon. PROV. SECRETARY by command of His Excellency laid on the table a report of the Commissioner of Mines. He said that the house would be gratified to learn that the result of the entire year's operations in the gold mines had been such as to confirm the impression that a judicious application of capital and skill would obtain abundant remuneration. The average amount of return per man for the men engaged in these mines had been during the year larger than that returned by any other such mines in the world, a fact which would tend to increase the confidence in the value and permanence of our mines. The hon. gentleman then read the following extract from the report.

"The quantities are, for the year ending 30th September, 1864, 19,744 oz. 5 dwt. 12 gr.; year ending 30th September, 1865, 24,867 oz. 5 dwt. 22 gr.; increase, 6123 oz. 0 dwt. 10 gr. The average yield of Gold per ton of quartz for the year just closed also shows an increase over the preceding year of about five per cent, a fact which tends to confirm the prevalent impression that the deeper mining is carried on the richer will be the quartz; but when we apply to the operations of last year the most reliable of all tests—I mean the yield of Gold per man engaged in mining—the result is still more satisfactory. The yield per man has steadily increased every year since Gold mining commenced in this country, until we find that, for the year just closed, it amounts to the sum of \$664.30. This is equivalent to \$2 13 per day for every man engaged in and about mining. In 1864, the average was about \$1.39; and in 1863, \$0.95. It must be remembered that in these calculations the Gold is rated at \$18 50 per ounce, which is below its market value. Everything in connection with this matter indicates a large increase and wider extension of profitable Gold mining operations in future years. As explorations are extended, it becomes more obvious that the possibility of carrying on such operations is not confined to the isolated localities, which constitute the heretofore proclaimed Gold Districts."

Hon. PROV. SECRETARY also said that the results of coal mining had been still more satisfactory as the following extract shewed:

"A reference to the Statement (marked C) in the Appendix, will show that there are now thirty collieries in operation in Nova Scotia. Some of them are, it is true, only just barely opened, and have, as yet, made but small returns; but, with one or two exceptions, works are being vigorously prosecuted in all of them and with good prospects of a great and profitable extension of them at an early day. The total quantity of Round and Slack Coal sold from the Mines during the year ending 30th September last was 653,854 tons. In making a comparative statement, I cannot give with perfect accuracy the yield of coal for the whole twelve months ending with September, 1864; but the returns for the year just past show an increase of not less than thirty per cent. upon those of the one last preceding."

Those facts showed that our mining operations had assumed a magnitude scarcely contemplated a few years ago. The balance to credit of the Mines at the end of the year ending 30th September, was \$61,463.70.

The report was referred to the Committee on Mines and Minerals.

REPORT ON CROWN LANDS.

HON. PROV. SECRETARY also laid on the table a Report of the Commissioner of Crown Lands. He said that this document showed that the progress of the department was quite commensurate with the general progress of the Province and with that of any other department of the public service. Last year a very large increase had been exhibited, and it would afford members very great pleasure to find that the same activity was continued, evincing very material Provincial advancement. The receipts of the Crown Land Department for last year were \$44,302 61, being \$11,798.59 over the previous year. The surplus arising from the net proceeds amounted to \$11,168 40. The Commissioner of Crown Lands, he said, called attention to two or three other matters which would be brought to the notice of the House for the purpose of obtaining some legislative remedy. One of those subjects was trespasses to Crown Lands; another was the great obstruction to the business of the office caused by applications for Crown Lands being made without the whole amount of money necessary for the grant being forwarded, the result being that a large number of grants were prevented from being issued. To remedy this a proposition would be made by the government to the House. Every effort had been made to press the business of the department forward with as much energy as possible, and he hoped the committee would find an improved condition of affairs.

Mr. BLANCHARD said he was glad to hear that an improvement had been made. The committee on Crown Lands had recommended last year that grants should be made out and held as escrows preparatory to the payment of the balances due on them; he presumed that whatever measure would be brought forward would be founded on that suggestion. He enquired whether anything had been done towards the fulfillment of the promises made by the government last session, in reference to the expenditure of monies upon the by-roads of Cape Breton.

Hon. PROV. SEC.'Y said—As to the first observation, he did not think that the remedy suggested by the committee would meet the case, for under such an arrangement parties would know that their title to lands applied for was in safe deposit, and they would therefore be indifferent as to the most important particular, viz., the payment of the arrears. — Although the title would not be complete until the delivery of the grant, yet applicants would feel that the provisions of such an enactment secured to them a title to land of which they were in occupation, but for which the money had not been paid according to law. As to the question asked the Government, he replied that the Crown Land Department had been called on to furnish a statement of the monies accumulating, and the members for Cape Breton were solicited to make any suggestions that they thought fit, but it was found that great difficulties existed owing to the diversity of such opinions, and as large additional grants were made last year to the counties of Cape Breton, the subject was allowed to lie over.

BILLS.

Hon. Mr. MCFARLANE presented a petition from Freemasons resident at Pugwash, asking

for an Act of Incorporation of Acadia Lodge, located there, and introduced a bill in accordance with the prayer thereof.

Hon. Mr. SHANNON presented a petition for an act of incorporation from the Halifax Co-operative Society, and a bill in accordance therewith.

COMBINATION OF WORKMEN.

In reference to the bill introduced by Mr. Shannon.

Hon. Mr. MCFARLANE said that last year several bills were passed incorporating companies of workmen, and he understood that good reason existed for narrowly watching the introduction of such measures.

HON. MR. SHANNON replied that none of the measures passed last session contained any clause authorising such a combination as was referred to.

MR. MILLER said that the powers given by the act of incorporation very often indirectly conferred the power of combination. One case with which he had been acquainted showed the injurious operation of such measures: a number of ship-carpenters came up to the city to procure work, and applied for employment where a government vessel was under repair, but they were unable to obtain work, owing to the combination of the resident laborers, and they were told that if they wished to be employed they must join the society which had been formed.

MR. S. CAMPBELL said that there being nothing in the Acts of Incorporation authorizing such combinations, the evil must result from the by-laws afterwards framed, and as these could have no effect without the sanction of the government, it followed that the gentlemen who alone were responsible were those who had spoken at the other side of the House.

MR. MILLER said he did not think a stronger case could be put than the one which he had mentioned, and to prevent such conduct some legislation would be necessary.

HON. MR. SHANNON said he did not wish his previous remarks to be taken as made in defence of the conduct described. He had heard such instances as that mentioned, and could well understand how injurious to the public interests such occurrences were. He would be very glad to have every measure scrutinized, but was quite sure that none of them contained anything which could have such an effect.

MR. TOBIN said that a good deal of dissatisfaction existed among the shipowners of the community on the subject under discussion. Several instances had occurred in which carpenters who sought employment had not joined the association, and when they attempted to go to work on a ship on which the members of such association were engaged, the latter struck work. These were the representations made; whether they were entirely correct or not he was not prepared to say; but he had heard a good deal of complaint on the subject. The regulations of these associations, he understood, were such as not to admit of their members working in the same shop or yard with uninitiated workmen; the employers were at perfect liberty to engage such persons, but a strike was the consequence. It was true that the Acts conferred no such power, but he

had never seen their bye-laws, and he thought a copy of such should be deposited in the Provincial Secretary's office for inspection. He hoped that the discussion which had occurred would induce the merchants and ship carpenters to present their case to the House and ask an investigation, for if the operation of such societies was to create monopoly and prevent men coming to the city and engaging in work, some remedy should be applied. He had heard merchants complaining bitterly of these combinations, and of the policy of the House in granting acts of incorporation.

MR. BLANCHARD said that the house had no power to apply any remedy. The carpenters could associate together and refuse to work, as had been described, even if no act of incorporation were passed,—the act merely gave them power to hold real estate. If men were employed on a building, they had a right to refuse to work if they choose; the remedy, he thought, was in the hands of the merchants themselves, who should get a sufficient number of men to rid themselves of the monopoly.

MR. PRYOR said, careful attention had been given to the acts of incorporation, and it would be seen that they contained nothing authorising a combination. He read from one of the acts to show that the objects mentioned were purely charitable. He thought that the law on the Statute Book in reference to combinations of workmen contained a remedy by authorising the Crown Officers to bring parties guilty of conduct such as had been described before a Justice for punishment, as had been done by the late Attorney General.

MR. ARCHIBALD said that the only benefit derived from incorporation, by the workmen, in furtherance of their design, was that the act gave them power to combine for some purpose, and if they abused the power given them the legislature should do all it could to suppress the evil; but it was clear that a voluntary association could accomplish the same results as any other, excepting that the act clothed the workmen with certain powers, and if, under cover of these, monopolies were created, it was but right that the acts of incorporation should be repealed.

MR. TOBIN said the house should well understand what it was about after the dissatisfaction that had been evinced. He did not see why such an act should be passed, the object he understood was to set up a grocery store where the members could obtain their supplies at a cheaper rate, and such a matter was outside the pale of legislation and beyond what was due to the country.

HON. MR. SHANNON said he took it for granted from the Bill, that the Society was based on the principle in operation in reference to such associations in England, and the object was not so insignificant as had been intimated. He had not been acquainted with the nature of such societies until he had read some very able articles published in THE REPORTER last year on the subject. It was felt that the poorer classes could not procure as much by their expenditures in the ordinary way as by combining in the way mentioned in the Bill.

MR. ARCHIBALD suggested that the Bill be referred to a special committee.

HON. ATTY. GENERAL said that the objections to the Bill before the House must be

much less than those to the Bills under which combinations had arisen. It was possible that such combinations might arise without the aid of legislation, but if he had been correctly informed great additional facilities had been given by the acts passed and persons coming to the city for employment had been prevented from obtaining it. It would appear, however, that the operations of the present bill would be harmless—such associations were in existence in the old country, and the labouring classes had been enabled to obtain the necessaries of life at much lower prices than those at which those articles were usually retailed. The only injurious effect in the establishment of such a society would be a competition which it would create with existing establishments in the same line of trade.

Mr. TOBIN said that when the bill was introduced he had not exactly comprehended its nature, but he apprehended that the last remark of the hon. Attorney General would not apply, for an establishment managed in the way proposed would cost more than any private establishment in the business, and the regular grocers would be able to vend articles at lower prices than the society. He was acquainted with one institution transacting business by a joint stock company, and though there was ample capital, and good and prudent officers, yet it was not able to meet the competition of private establishments. He would take an enterprising and duly qualified man, put him in business, and he would make a fortune where such an association would fail. If a number of men entered together in such a way into a mercantile business one would think this or that time a good time to sell, another would think it a good time to buy, they would pass resolutions, and great embarrassment would be the result. He would be glad, however, if the association could succeed and could accomplish the results spoken of.

Hon. PROV. SECRETARY thought by the investigations of a special committee the house would be able to ascertain the character of the measure. He made a few remarks in reference to the benefits of these societies in alleviating the wants and sufferings of their members and in supplying the medical attendance so advantageous in cases of necessity.

The bill was referred to the Committee on City Bills.

THE WINDSOR AND ANNAPOLIS RAILWAY.

The order of the day, the second reading of the Windsor and Annapolis Bill, was then moved by the hon. Provincial Secretary. In doing so, the hon. gentleman stated that it would not be necessary to occupy any length of time as the bill involved no new principle but was based on the legislation of last session. It was well known that after considerable discussion a bill had been passed entitled an act to provide for the building of two other sections of Provincial Railways. The discussion that took place on that occasion being quite fresh in the recollection of the house it was altogether unnecessary to occupy the time of gentlemen at present. He was quite satisfied that gentlemen, whether favorable or unfavorable to the measure, would be prepared to give their sanction and approval to a bill which was simply design-

ed to give effect to the past legislation of the house. He had already drawn attention to one or two points in which the contract might be considered to differ from the act of last year. The whole subvention undertaken to be paid was in direct accordance with the act of last session, and the only alteration was, as he had previously explained, in respect to the bridge across the Avon. The government undertook by the contract to pay a specified sum for the building of the bridge, £40,000 currency, to the contractors, payments to be made as the work proceeded, and the balance, if any, when the same would be fully completed and the Railway opened for traffic. The Company were bound to build, in addition to the Railway bridge, one for the accommodation of the general public. He thought the house ought to be gratified with the issue of the legislation of the last session. If ever there was a time in the history of the country when it was desirable that a large amount of foreign capital should be expended among us, and for which the province should not be placed under any indebtedness, it was the present. In view of the circumstances connected with our trade, it was most encouraging to find such enterprises in progress; over a million of pounds would be required, under the contracts made in virtue of the legislation of the house, to be expended in the province during the next four years. Such a fact was certainly a matter for congratulation by all classes of our people.

Mr. ARCHIBALD said that whatever might be the opinion of gentlemen on that side of the house in respect to the propriety of the present measure, no one could deny that any contract made in pursuance with previous legislation was binding upon the Legislature. If, however, the government had receded from that legislation—had exceeded their authority, it was open to the house to bring them to account. There was no question that the legislation of the house had devolved upon the government a most onerous responsibility, when it allowed them to make contracts involving the expenditure of large sums of money. That duty they were expected to perform in a manner consonant with the best interests of the country. It was gratifying, undoubtedly, that, in the present condition of the money market, capitalists should be found willing to expend large amounts of money in the construction of public works in this province, but at the same time it was necessary to take care that they should make this expenditure so as to be of permanent benefit to the country. He had looked carefully over the papers before him, and was surprised to find that there was not a single word in the contract, nor in the bill, stipulating the character of the railway that was to be built. The only clause that referred to the construction of the line was that which required "the rails to be of good quality," and that "the breadth of roadway, and depth of ballast, and general description of the road" should be "of such quality as to ensure permanency and economy of maintenance." Now surely the government should have taken care to understand what the actual style of the road would be, and not have allowed the Company such latitude. If a man wanted a house built, he had full specifications made, and did not allow the contractor to do as he

liked. He did not pretend to know much about railways, but he was quite certain, nevertheless that some guarantee should have been required by the government as to the manner in which the road would be constructed. He had hoped, too, that the government would have had the power to send their Chief Engineer to look over the character of the work as it progressed. Knowing how necessary it was to have an efficient officer of this kind, he had asked the government to lay the credentials of Mr. McNab on the table. But on looking over the papers, he did not find any provision made for the supervision of the chief Engineer. As it was, the parties might build a road just of the kind that would suit themselves; the language throughout was exceedingly loose and vague. Taking the amount of subvention and that given for the construction of the Avon Bridge, the Province was called upon to pay \$91,200 for the period of twenty years. What was there to prevent this Company completing the Railway so as to entitle themselves to the amount and then give it up, at the period stipulated. He was also quite prepared to say that there were few gentlemen around the benches who had ever heard the names of any of the capitalists the hon. Provincial Secretary had so highly lauded, except that of Sir John D. Hay. He thought in the case of a matter of such grave importance the country should have more than ordinary assurance that these gentlemen were satisfactory security for the due performance of the undertaking. He did not pretend to say that these gentlemen were incompetent to perform the work, but was only desirous of protecting the interests of the province in every way that was practicable.

Hon. PROV. SEC. replied that if the hon gentleman would turn back to the discussion of the previous session when the act on which the last bill was based was passed, he would find his objections to a large extent removed. All the stipulations and provisions that the Legislature considered necessary when passing the act of last session were actually incorporated in the contract itself; the very first clause of the agreement would show this. The hon. member had said that if a person was building a house, he did not leave everything to the contractor, but bound him down to certain stipulations. The house, however, would see that his simile is not borne out by the facts as they exist in the present case. The Government were not going to build the railway for themselves. The road was to be constructed by the contractors so as to be their own property; and every person who knew anything of railway maintenance was aware that no Company could afford to keep up a railway for twenty years unless it was suitably constructed. The house knew that the remuneration offered by the country was very inadequate for the object expected to be gained, and that no capitalists were going to spend their own money for a road which would be comparatively useless. The period for which the railway had to be maintained was obviously sufficient guarantee that the work of construction would be efficiently performed. The motive that would impel the contractors was the most potent that can exist—self-interest. He would state that the parties in question purposed to lay down a heavier rail than

had been stipulated for; in order to make the line as efficient as possible, they had ordered rails of 56 lbs. to the yard, instead of 42 lbs. as per contract. They did this because they felt that the best mode they could pursue to get an adequate return for this capital was to construct the line as thoroughly as possible. It had been the impression in the house last winter, that the amount of remuneration offered by the Province was entirely inadequate; it must therefore be a matter of congratulation that we had been able with such slight inducements to obtain the construction of the work. The government had taken great pains to inform themselves of the standing of the capitalists that were to undertake this project. Mr. George Knight was at this moment a Railway Contractor of great eminence—reputed to be worth at least a quarter of a million of pounds. It was true that the limited Liability Company of Smith, Knight & Co., (who had nothing whatever to do with the railway project) had been involved in some difficulties, but these did not arise from any inability to discharge their engagements, but in consequence of a personal quarrel between the managing director, and the other shareholders. The stock had necessarily declined in the money market, but every gentleman who knew anything of the working of limited liability companies, was aware that these difficulties might arise without in the slightest degree affecting the financial position or wealth of any gentleman who happened to be connected with them. After investigation it had been found that the company was entirely solvent, and able to meet their engagements. The high position of Mr. Knight had not been touched in the least degree. As to the name of Mr. Chapman, it was quite familiar to all Bankers everywhere. Mr. ARCHIBALD said that in the contracts made with reference to the Trunk line, it was provided that the work should be of a particular character.

Hon. PROV. SEC. observed that it was not considered necessary to have any such stipulation for a line for the western counties where the traffic would be of light description; the reverse was done with respect to the Trunk line. A larger amount of traffic might be expected to go over it.

Mr. ARCHIBALD went on to say that it might be supposed from the fact that the company were going to place 56 lb rails on the line—that they had been led to believe that a large portion of the traffic that might run over the intercolonial road would go over their own road. Therefore it might be said that we were about to build up a line that is to compete with the Trunk Line for the trade from St. John. But what he was chiefly urging was, that he did not think that the government had exercised as large an amount of discretion as they should have done in a matter so important.

Hon. ATTY. GEN. said that he had listened with a great deal of attention to the remarks of the hon gentleman (Mr. Archibald), and he must say that they were by no means worthy of one of such high legal attainments. Turning to the acts passed for the building of railways in this Province, it would be found that the lines were to be a continuation of the Provincial railway. The hon gentleman said that these parties might build tramway, but he must

see that the intent and spirit of the acts proved that he was incorrect. Indeed if he would take the trouble to turn to the agreement he would see what was the character of the road to be constructed. The very preamble said: "Whereas, an Act of the Legislature of Nova Scotia was passed on or about the second day of May, 1865, entitled 'An Act to provide for the construction of two other sections of the Provincial Railway,' and by such Act provisions were made for the construction of a certain Railway from Truro to the boundary line of New Brunswick, and of a certain other railway from Windsor to Annapolis; And Whereas, in pursuance of the provisions of the said Act, a negotiation has been entered into between the said parties, having for its object an arrangement by which the said company shall undertake the construction and working of the said section of the said railway from Windsor to Annapolis, under the provisions of the said Act, and subject to the terms and conditions hereinafter mentioned." So it would be seen that the very preamble showed that the proposed line must be of a certain character—as good as the one in existence. But it must not be forgotten that it had always been estimated that the railway to Annapolis would not require to be built, for a variety of reasons, quite as substantial as the Trunk line. The hon. gentleman had objected that the Chief Engineer could not exercise any supervision over the line that was to be built, but what was the fact. Looking at the contract it would be seen that the location of the road was made subject to the approval of the Governor in Council. The location of these lines of railway, in other words, was made subject to the approval of the Governor in Council—subject to the recommendation of the Chief Engineer. Before the Chief Engineer would consent to the location of the road he would have to have a clear understanding as to the grades and curves. How could any Company, in face of such an agreement, build a road of the character that had been hinted they might. But what more did they read in the contract:—"The rails to be of good quality, and to be either 42 pounds weight per yard, on the T pattern, to be laid on longitudinal rectangular bearings, properly fastened with spikes, and fished at the joints, or with sleepers and an aris-cut longitudinal stringer, with a proportionably smaller pattern saddle-rail, as introduced on the Great Western Railway in England. The breadth of roadway, depth of ballast, and general description of road to be of such quality as to ensure *permanency and economy of maintenance.*" Could anything be more satisfactory than this? The location was made subject to the approval of the Governor-in-Council and the road was to be of such a description as would ensure "permanency and economy of maintenance." Was it not obviously the interest of the Company to construct the work so that they might have little expense in keeping it up? Would they not want to have the roadway built so as to prevent the falling down of the slopes, and the crumbling away of the embankments? If the road was built as many lines were in the United States, it would only be a constant source of expense. Experience had proved that economy in construction was extravagance in working. One of

the great considerations that now entered into the minds of contractors and railway companies was to give a road sufficient weight and permanency, in order to produce results that would serve the interests of all concerned. If we had a road built, to Annapolis that afforded permanency and economy of management, then the country had all that was necessary. But more than this, the Railway Commissioner was permitted at all times to visit these works and report on their character and condition; he was to see that the intentions of the agreement were carried out. Therefore it would be seen that the government had all the checks on the company that were necessary. No one could believe for a moment that the small subsidy given by this was sufficient inducement to the company to build the line. The government has been told time and again that the sum offered was entirely inadequate to induce capitalists to build the road; and we might be quite sure that the company in question had not embarked their money in the undertaking until they had fully satisfied themselves that they would receive some profit from the working thereof. It had been urged that the plan of subsidizing the line, was in effect assisting a road that would be in opposition to the trunk line, but this objection could not be considered as having any tenable foundation. We had the local interests of this country to develop, and therefore it was that the branch line to Annapolis had been projected. In fact, we were to be benefited by two lines of railway, instead of one; such a state of things could not be otherwise than advantageous to the people of this country. If we would be able to afford such great facilities to passengers by steamers at this port, to go on to Canada and the States by land, what more could we want? Was it not most desirable to make the capital of this province the terminus for travel across the Atlantic?—In whatever light he looked at the question, he saw that the people of Nova Scotia had abundant reason for satisfaction at the aspect of our railway undertakings.

Mr. CHURCHILL said that when the Act passed last session hardly a man in the House could have believed that the remuneration was sufficient to induce capitalists to embark in this undertaking—it was, in fact, most trifling. It must be, therefore, most gratifying to every one to find that a Company had been found willing to construct this railway to Annapolis. He quite agreed that we could not be too particular in the wording of contracts—that every one knew who had any business to do; but in the present case, it must be understood, the road that was to be built would not belong to the province. He was quite content to have the contract taken under circumstances so much more favorable than they had reason to anticipate. He had no doubt that the Company would give satisfaction to the province, and that in any case it was in the power of the Government to see that the country's interests were not overlooked.

Mr. MILLER said that on the previous occasions on which the policy embraced in the bill had been before the Legislature, it had been adopted by large majorities. He need hardly remind gentlemen that for the past two Sessions, when this measure was before the Legislature he had given it a constant and

unwavering opposition. In 1864 he moved a resolution which was to be found in the journals, embodying the grounds on which he based his opposition. During the last Session he also felt it his duty to give the Act referred to his strong opposition. However the policy was adopted by a large majority, which the Government was now carrying out. He might considerably annoy the Government by moving amendments, but he felt that with the majority they had at their back no practical or useful result could accrue; and his only course was to submit to what had been done as the deliberate act of the House. He had performed what he believed was his duty, and it was now hardly legitimate for him to oppose a measure which had taken place in consequence of the legislation of the House. But there was another reason which influenced him to pursue his present course; and that was, the fact of the absence of many gentlemen who ought to be present. In the first place the three members for Yarmouth had not come up, and they might be reasonably supposed to be opposed to all railways. Four representatives of Cape Breton—one from each county—were also absent. In view of the absence of so many gentlemen who might be expected to oppose the bill, it was idle to offer any opposition. He would add that he had never opposed this measure from sectional motives—from any hostility to the western counties. If any measure was submitted to the legislature, in which the interests of this section could be promoted, without jeopardizing those of the larger portion of Nova Scotia, he would be always ready to support it. He did not believe, however, that the benefits expected from this road would accrue, whilst it decidedly did not confer any advantage whatever on the more remote sections of the province. In a very short time, at least \$500,000 would have to be paid by little Nova Scotia in the shape of railway interest. In view of the fact that our trade relations would be disturbed by the abrogation of the reciprocity treaty, was it not the part of wisdom for the Government to hesitate before incurring such heavy obligations, and involving the country so deeply? He trusted that the sanguine anticipations of gentlemen would be realized, and that the grants for such necessary services as roads, and bridges, and education would not have to be cut down in the future to very small amounts, in consequence of the policy that the Government and House are pursuing.

Mr. MCLELAN thought that the Government should hardly ask the House to pass such an Act without having some security of the character of the work that is to be built. The Province was giving the Company something like £300,000 as a bonus to build the road, and considering the character of the country over which the line would pass—72 miles of it being of no higher grade than 20 feet in the mile, and the other portion nearly a dead level—it was not impossible that it could be constructed for this amount. Was there not sufficient inducement for the Company to slight the work in the commencement, and then sell out of it. The Attorney General had said that this road was to be a continuation of the Railways already built. Might not the street Railway in course of construction in Halifax be called just as truly a continuation of the Provincial Road at

Richmond? Might not the Company propose to build a kind of tramway a little superior to the one in Halifax? It was probable from the fact that they had dispensed with the smaller rails, they would have no sleepers, and would construct a road of the character he had intimated.

Mr. ARCHIBALD repeated his belief that the character of the road should have been fixed. The whole argument of the Attorney General had gone to show that the gentleman in question were acting in good faith. "If, then, they were going to build us a good railway, what reason was there for not specifying it?" Under the terms of the present contract it was perfectly possible for this Company to walk eventually out of the whole affair, and throw upon their successors the burthen of the work. He did not mean to say they would do so, but what he felt was, that the Government had not exercised that amount of discretion that should have been expected of them.

Mr. LOCKE said, that as the contract had been entered into by the Government, it was useless to raise any argument against the terms. It was only left for gentlemen to put what faith they could in the Government. Although the act was passed last session, he believed that the Government had been too hasty; they should have waited and seen what would be the consequences of the abrogation of the Reciprocity Treaty, before incurring any heavy liabilities. No one could deny, that the Railway would be merely a right of way for the people of Annapolis; it could be of no benefit to the other and larger sections of the Province.

Hon. ATTORNEY GENERAL said that he was glad to see that the hon. member had been forced to yield to circumstances. Now it was well known that hints had been frequently thrown out that the Government did not intend to build the railway at all; and that their integrity and good faith were at stake. They were therefore bound as soon as the Legislature gave them power to redeem the pledges they had given for the construction of the work. He had given a good deal of consideration to the subject of the reciprocity treaty, and had come to the conclusion that the loss to the revenue would not be as great as some seemed to fear it would be. Looking at the character of the exports of the country—at the development of our resources—at the vitality exhibited in all branches of trade—at the prospect for new channels for commerce being opened up—he saw no cause for any apprehension whatever.

Mr. LOCKE asked if the Government were prepared to say that the country could for the next two years bear half a million of dollars interest on the railways, and still provide sufficiently for the other public services in which the people felt so deep an interest. He had attempted last session to get a small sum of 30 or £40,000 to connect Shelburne with Annapolis, but to no purpose. Steam communication was much wanted along our coast. But who could say when the country would now have it after the large obligations that were being incurred for railway enterprises.

Hon. ATTORNEY GENERAL replied that the Government had given the subject the full consideration and had come to the opinion that the province was well able to undertake the responsibility imposed upon it.

After a few remarks from the Provincial Secretary in support of his previous statements, the bill passed its second reading.

The House then adjourned until the next day at 3 o'clock.

FEBRUARY 27, 1866.

House met at 3 o'clock.

PETITIONS.

Mr. C. CAMPBELL presented to the Government, through the House, a petition for a break-water; also, a petition for repair of a wharf in the county of Digby.

Mr. MILLER said he desired to present a petition from a large number of shipowners, merchants, and magistrates in the Island of Cape Breton, asking aid to open and render fit for the accommodation of shipping, the harbor of Fourche. The petition was not only numerously signed by such persons throughout the whole island, but had also received the signature of two of the members of Cape Breton Co., one of whom (Mr. Bourinot) had attached to it a certificate, stating that he was well acquainted with the harbor, that it formed the boundary line between the Counties of Cape Breton and Richmond, and would, if opened, be of great benefit to the many vessels visiting that part of the country when the mines are in operation. Mr. Miller said that the petition had peculiar claims upon the favorable consideration of the Government. The harbor was situated on the southern coast of the Island of Cape Breton, about half-way between Louisbourg and Cape Canso, there being no harbor of refuge between these ports, and vessels being frequently put to the inconvenience of running back to Canso or Louisbourg. The harbor was also resorted to by a large number of fishermen requiring such accommodation, as could be seen by the fact that the distance between the places referred to was 76 miles, Fourche being distant about 50 miles from Canso. The entrance was at present obstructed by a bar rendering the harbor useless at times, and the House he said, would perceive that the subject of the petition was not one of a local character, but was intimately connected with the shipping interests of the country. The sum required would not be very large, and he trusted that, in consideration of the interests involved, and of the amount of revenue derived from such branches of industry as those to which he had referred, something would be done in accordance with the prayer of the petition, which was more influentially signed than any other which he had ever presented to the House.

Mr. BLANCHARD presented a petition from the wardens of river fisheries, asking remuneration in protecting such fisheries. He said that the small pittance granted to these officers by the Sessions was quite inadequate. The hon. gentleman also presented a petition from Broad Cove, in the County of Inverness, signed by 236 electors, on the subject of Confederation.

DESPATCHES, ETC.

Hon. PROVINCIAL SECRETARY, by command of His Excellency, laid on the table copies of correspondence relating to signal stations. He remarked that a change which had been made in the mode of payment for this service rendered the sum less than heretofore.

Hon. PROVINCIAL SECRETARY, by like command, laid on the table copies of correspondence relating to the Governor's Private Secretary.

Mr. ARCHIBALD made a few remarks respecting some seeming reflections contained in one of the despatches, on the policy of the late Government in connection with the Secretaryship.

Hon. PROVINCIAL SECRETARY said he had not seen the papers until a day or two ago. One of the statements, he would say, which it contained was perfectly correct, viz., that the course pursued by the Government last Session, of introducing a bill on the subject, had taken His Excellency by surprise, he supposing that the discussion on the question had long been closed.

Mr. ARCHIBALD said that the proposition to appoint and pay a Private Secretary had never met with the opposition of gentlemen on his side of the House as a body, although individual members may have been hostile to the measure.

Hon. PROV. SEC'Y., by like command, laid on the table copies of correspondence relating to the Paris Universal Exhibition; also, copies of correspondence relating to the assassination of President Lincoln.

EDUCATION.

Hon. ATT. GENERAL laid on the table a petition from an aged school teacher whose employment had been interfered with by the operation of the present school law, and suggested that the same be referred to the Committee on Education.

Mr. S. CAMPBELL enquired of the Government whether it was their intention to devolve the labor and responsibility of considering the operation of the present school act on that committee, or whether the Government proposed to take charge of the matter themselves.

Hon. PROV. SEC'Y. said it had become a matter of serious consideration with the Government as to what course they should adopt on this subject, and after mature deliberation it had been decided that it would not be the most judicious course to submit any measure desirable for the further alteration of the existing law as a Government measure. The Government, as members were aware had already assumed the responsibility of dealing with the question, and it became necessary for them to enquire how far on any such question they would receive the support of gentlemen usually sustaining them, and in bringing forward the measure of last session, they stated that it contained two fundamental principles on which they would take their stand before the Legislature. Those principles were, first, the establishment of free schools, and second, the assessment by counties of the amount required to supplement the amount granted by the Legislature. The Government, on that occasion, informed the House that while they asked support on these two principles, they considered all other matters as open to such amendments as the majority of members would endorse. When that measure came to be discussed, while the government were sustained on those principles, the bill was very largely modified in other and important details, as, for instance, the proposal to give the sections the power of voluntary assessment was so altered as to substitute a provision for obtaining aid by means of subscription. He need not say that in connection with the subject of Education, the Government had encountered a great deal of difficulty and embarrassment, although not

more than might be anticipated from so great a change as that made. They had taken pains to satisfy themselves of the working of the present Act, and he believed he would be able to shew the House from the report of the Superintendent of Education that under that Act a great improvement had taken place in the common school education of the Province, not only by a large increase in the number of children attending school, but also in relation to school accommodation. There could be no doubt that one of the difficulties experienced, and he referred to it with regret, was, that any measure brought forward as a government measure, would invite a good deal of hostile criticism on the part of the opponents of the Administration. He did not in this remark make special reference to the present Opposition, for he was aware that he had received vigorous and determined aid from some gentlemen opposite, and in every county the most enthusiastic supporters of the new law were to be found among their opponents, but merely had reference to the fact that any measure so brought forward invited a great deal of hostility. Looking at that feature of the case, and anxious to separate the question, as far as possible, from political considerations, in order that it might commend itself to the body of the people, the Government believed they would be consulting the best interests of the country in leaving any alterations to be suggested without a reference to party feelings. He believed that a great change and improvement had been effected,—that the difficulties to be encountered would steadily fade away, leaving the general education of the country in a progressive state. The Government believed that the act might be materially improved, but that it would be better to leave the matter open in the way proposed. He did not intend to shrink, for a single moment, from taking his share of any responsibility arising from the introduction of amendments.

Mr. LOCKE enquired whether the Government were not prepared to bring down any measure, or whether they intended merely to rely on the suggestions of members?

Hon. PROVINCIAL SECRETARY replied that the Government, having obtained the adoption of the leading principles which they held, it would be a violation of the pledge given to the House if they were to press, by Government influence, any changes considered necessary.

MISCELLANEOUS.

Mr. CHURCHILL presented a petition from James A. Smith, an aged teacher, praying a free grant of land.

Hon. ATTORNEY GENERAL laid on the table copies of correspondence relating to the erection of a small light on St. George's Island, in Halifax harbor. This had arisen, he said, from a representation of the fact that danger existed to vessels entering the harbor by night. He also submitted an application made to the Government by the Cunard Company, and a report thereon from the Superintendent of Lighthouses.

The papers were referred to a Committee on navigation securities.

Mr. TOBIN referred to the fact that the island was under the control of the military authorities and suggested that applications be made in that quarter.

Hon. ATT'Y. GEN. answered that the work could not be done without the concurrence of

the military authorities, but he had been informed that no difficulty would be made on their part. A very inexpensive light would be sufficient,—the maintenance being the principal consideration.

Mr. COFFIN said that this matter should have been before the House previously. A light in the locality alluded to was very much needed in the navigation of the Harbour, and if any difficulty were experienced in its erection he thought there were other points equally suitable for the purpose.

Hon. ATT'Y. GEN. laid on the table papers connected with investigations conducted by the Postmaster General in reference to abstraction of money from three money letters,—also documents connected with a robbery of the mail in Digby County.

The papers were referred to the Post Office Committee.

WINDSOR AND ANNAPOLIS RAILWAY.

The House then went into Committee, and passed the Windsor and Annapolis Railway Bill with some slight amendments.

RAILWAY MATTERS.

Mr. TOBIN gave notice to the House that the Railway Committee would meet on Friday next at 11 o'clock, and urged the necessity of promoting the business before the Committee. He trusted all parties having claims to pass before them would bring them forward by at least ten days' time. By that means all reasons for complaint would be removed.

Mr. LONGLEY stated, in answer to the hon. gentleman, that the Railway Report would be ready in a few days.

Hon. Mr. McPARKLANE supposed that parties having business before that Committee would be entitled to the usual fourteen days' notice.

PETITIONS

Mr. ANNAND presented two petitions—one from Jeddore and the other from Pope's Harbor, on the subject of Education.

Mr. BALCAN, a petition from Tangier on the same subject.

Mr. MILLER, a petition from the inhabitants of Little Arichat asking for a grant for the erection of a light house. He referred to the importance of the harbor.

Mr. LONGLEY presented two petitions; one from Annapolis on the subject of trawl fishing, and the other from a man asking aid for a house of entertainment.

THE TRUNK RAILWAY.

Mr. ANNAND asked the Government if they had received any intimation from the other side of the water that might give reason to believe that operations for the construction of the trunk line of railway to New Brunswick would be retarded, in consequence of the tightness of the money market.

Hon. PROV. SECY. replied that the parties who entered upon the contract for the construction of the line in question were to be incorporated in England, under the limited liability act, and therefore did not require the passage of such a bill as was before the House. He was very glad to be able to say that no information had been received of any intention on the part of the International Contract Company to recede from the engagements they had made with the Province.

The House then adjourned until the next day at 3 o'clock.

WEDNESDAY, Feb. 28, 1866.

The house met at 3 o'clock.

YARMOUTH ELECTION.

Hon. PROV. SEC. informed the house that during the recess he had received a letter from a member of the house, Mr. G. S. Brown, resigning his seat as representative of the township of Yarmouth. A writ had been accordingly issued for an election to supply the vacancy, and the return showing the election of William H. Townsend, Esq., was laid on the table.

Hon. J. H. Ahlerson and Hon. Alex. Keith, the Commissioners, then took their places and administered the usual oath to Mr. Townsend, who thereupon took his seat.

MISCELLANEOUS.

The Windsor and Annapolis Railway Bill passed its third reading.

Mr. LOCKE presented two petitions from Shelburne against the practice of setting fish weirs.

Mr. MILLER presented the petition of a large number of the inhabitants of New Glasgow on the subject of the location of the railway depot at that town. Also another on the same subject from Antigonishe. These papers were referred to the government.

Mr. ARCHIBALD asked the government to lay on the table a specification connected with the Picton railway, referred to in a letter published in the Journals of 1865; also the report of Mr. Fleming on the tenders.

CAPE BRETON AFFAIRS.

Mr. BLANCHARD said he wished to ask of the government information on a point on which he took a deep interest. Members in opposition had frequently no more legitimate mode of gaining information than by asking publicly; and when, a day or two ago, he made enquiry respecting the expenditure of monies arising from Cape Breton Crown Lands, he had been informed that communication had been opened with the members for that part of the country, and that owing to their disagreement nothing had been done. He assumed that the fact of his not being consulted on that matter was owing to the circumstance of his not being one of the government supporters. He had noticed in the newspapers a mention of the fact that in Canada companies were about being projected for placing larger steamers on the Gulf of St. Lawrence, and he therefore asked whether any correspondence on that subject had been received, and whether the government would not think it prudent to grant a sum of money to encourage the line, or one in connection with it to touch at the Strait of Canso, Port Hood, Mabou and other points on the North West coast of Cape Breton.

Hon. PROV. SECRETARY replied that the government had no information on the subject further than the public prints afforded. No application for aid had been received and the matter could therefore be brought to the notice of the house by suggestions of individual members. He said he would take this opportunity to correct the impressions resting on the mind of the gentleman who had just spoken respecting the Cape Breton Crown Lands. He did not wish to be understood as saying that the delay was owing to difference of opinion on the part of members for the Island. The government had instructed the

Commissioner to prepare a report which was transmitted to those gentleman and a great deal of difference existed between their suggestions and the recommendation of the Commissioner, but the principal reason had been that very large special grants had been made to the Cape Breton Counties in addition to the road grants.

Mr. MILLER said that last year he had been under the impression that the intention was to refer the matter of this expenditure to the county members, and that they would be called on to make suggestions for its appropriation. He did not think that as far as his county was concerned the latter remark of the Prov. Secretary applied, for that county had received very small special grants—that for 1864 being but \$1000, while some counties received \$12,000, and that for 1865 being but \$3000, while others received much larger sums. He did not think that any commissioner likely to give satisfaction in the appropriation could be selected, but the matter could be very easily adjusted if left to the representatives themselves; and he had reason to know that very little difference of opinion would exist between his colleague and himself on the subject. For two years they had not provided for roads running through new settlements and to open up tracts of land which had been sold, expecting to receive these grants, and it was a great hardship on districts where there were no means of getting to market or to church or to the mill to have that money lying in the treasury. He thought no difficulty would be experienced if the distribution were left to members themselves, the necessities of some localities being so very apparent.

Mr. S. McDONNELL said he would like the government to lay the returns of the Commissioner on the table as he was desirous of seeing it.

Hon. PROV. SEC. said he was under the impression that the report had been transmitted to that gentleman and his colleague, and had obtained their approval. The government had allowed the matter to remain over in hopes that by personal consultation some agreement could be effected.

Mr. ARCHIBALD said he was surprised to hear such references to the wretched state of the Cape Breton roads. He could not say that Cape Breton claimed more than her rights in claiming these funds, and last year he had made great efforts to induce the government to expend the large sum of money voted to the Island in opening up the interior, but they preferred taking this money which would have made excellent roads throughout the country, and expending it upon a ditch a half mile in length. He hoped that his recommendation would be adopted this year, and that this large grant would be applied to some useful purpose.

Mr. MILLER said he regretted that the time had not come when the hon. gentleman could cease to grudge Cape Breton the small instalment of justice meted out to her. The legislature having put an Act upon the Statute Book to secure the completion of the Canal, that gentleman should have submitted to the deliberate action of the house, but some members seemed to be under the impression that the paltry grant of £30,000

to the Canal was a sufficient compensation for the hundreds of thousands of dollars expended in other parts of the Province. The four counties of Cape Breton yielded to the revenue in proportion to their population more than any other portion of Nova Scotia, in consequence of the large development of mining, fishing and other interests of that island,—the sum paid to the treasury being one-fourth of the whole revenue, while the population was but a fifth. The interest on the grant of £30,000 was not more than £2000 per year, and a measure had been passed to build a railway to Annapolis for the accommodation of two counties that would not contribute as much to the revenue in five years as Cape Breton would in two, the cost of that work being about £20,000 per annum, and in addition to this there was a railway to Truro costing about £60,000 a year. Did Colchester, he asked, pay as much as Cape Breton? No, not half as much, and yet the grant to the Canal was continually flung in the teeth of members for the Island. He could tell the hon. gentleman that men more competent than he was to express an opinion had given an opinion highly favorable to the work, and that however highly he (Mr. M.), might respect the opinion of the leader of the Opposition on some points he had no respect for his opinion on this, nor had the people, who believed that the undertaking would be exceedingly beneficial. He asked the Government to lay on the table the report of the Engineer as he had reason to believe that the work had not been carried on as it should have been;—he did not see why the construction should be dragged over a series of years while the Railways, involving a much larger expenditure were to be completed in two years.

Mr. ARCHIBALD said that if the subject of the canal was touched his learned friend was sure to pop up like a certain object he would not mention, but that gentleman was mistaken. No one opposed the canal from a desire to withhold the money from the island, but from a desire to see it applied in some practical manner. If Cape Breton were entitled to so much money let it be expended in a way that would be beneficial. He did not want the hon. gentleman to have respect for his opinion, but to have a respect for the government, and for Mr. Laurie, of whom the government could not express too high an opinion,—that gentleman had pronounced the undertaking useless as a public work, and anybody looking at his report must feel the truth of what he said. He had been informed that it was exceedingly difficult to travel on the lake even when it was covered with ice and that it required expert sleigh driving to avoid striking on the islands. He did not want any one to regard his opinion very highly, but from persons well qualified to judge he understood that if the Canal were completed to-morrow no man in the Province would pay £25 for it and take the obligation to keep it up. And if it would not develop the traffic of the Island, why not apply the money to some purpose of practical utility? How were the people of Cape Breton to be benefited by the Pictou Railway? It would be by having first class steamers maintaining the connection and bringing every man in the Island within twenty-four hours of the capital, and yet the

Government were wasting money upon another project against the advice of their confidential officer. He would go heart and hand with any one who would appropriate whatever sum was available to Cape Breton in a useful way and if the connection referred to existed the expenditure would be beneficial to some one else besides those immediately engaged in the outlay. He regarded the subject with no bias of prejudice and believed that the members for the island took an entirely mistaken view of the benefits to be derived from the Canal.

Hon. PROVINCIAL SECRETARY said he did not rise to defend the leader of the Opposition, because he entirely concurred in the remarks made by the member for Richmond as far as they were confined to the quarter in which they were legitimately due, and that member in the face of such determined opposition to the appropriation should have sought to aid rather than to embarrass the Government. He would say that the Government would submit at an early day a Report from the Engineer of the work and he trusted and believed that that report would convince the House that the Government had vigorously and efficiently discharged the duty entrusted to them in this instance and that, so far from there being any disposition to expend unnecessary time in the work, the Engineer had endeavored to carry out his instructions which were to press it on as rapidly as possible and to employ all the labour that could be employed with a due regard to its economical use. The leader of the Opposition had done injustice to the question in calling attention so emphatically to the Report of Mr. Laurie which was made years ago when the position of the Island was very different. He was glad to be able to state that the present Engineer was not only satisfied that a very efficient canal could be constructed at a moderate cost but that the work would be of great benefit to the Island and the Province generally. It would be remembered that while Mr. Laurie, in making his report, considered the large outlay involved and the then condition of the Island as not warranting the expenditure, the necessities and trade of Cape Breton were now of such a different character that the government could properly take their present course while placing great reliance on the report. It was well known that at that time so far were the government from being able to enter upon the construction of the Canal, they were obliged to meet the legislature with the confession that the revenue was insufficient to meet the annual expenditure; so that circumstances had entirely changed. Different as was now the condition of the Province, still greater was the difference in the condition of trade in Cape Breton, and, making a comparison between her position in 1858 and in 1865, no man not entirely blinded could fail to see that these demands arising from the prosperity and from her business had increased tenfold and had rendered not binding under present circumstances any view then taken of the affair. Without, therefore, being obliged to discredit the prudential and economical considerations influencing Mr. Laurie, the government were warranted in determining to proceed with the work.

Mr. MILLER said that no one would be more

gratified than he to find that the work on the canal had been properly prosecuted, but the representations of some of his constituents had inclined him to the contrary belief. Without admitting at all the correctness of Mr. Laurio's report, it might be fairly said that the men who received it at the time when it was made with approbation, might consistently proceed with the work under existing circumstances. That officer, in the beginning of his report, had said that any one looking at a map of Cape Breton, must see the necessity of a canal, and must admit that the time would come for its construction. That time had come, and had come sooner than had been expected, and there was not the slightest ground for basing on that report an objection to the undertaking—any one reading it carefully must see that Mr. Laurio looked forward to the inevitable necessity for the construction of a canal, and any one viewing the large development of the prosperity of Cape Breton must admit the justice of the expenditure.

Mr. BLANCHARD said he had little expectation that such a debate would have arisen from his enquiries. He was glad, however, that during its progress the question had assumed larger proportions; his object was that the action of the government should be drawn to the necessity of providing for communication between Cape Breton and Pictou for the purpose of connecting with the railway and with the line of steamers from Quebec. He was glad to hear it admitted by the leaders of the government and opposition that the claims of the island were great, and hoped the result would be practical and beneficial.

Mr. ARCHIBALD said that after hearing statements about the large and increasing trade of Cape Breton he felt disposed to ask in what respect canal accommodation was more necessary now than before, the trade along the coast was of far greater importance, for the large amount of coal raised from the mines could not come through the lakes, but would come along the coast to Halifax, or go to the United States, and whatever sum of money was expended, (and he spoke from the opinions of persons more intimately acquainted with the subject, and better able to judge than the member for Richmond), not a cargo of coal would come by that route. The Sydney coal would find its way up the Gulf of St. Lawrence to the United States or else to Halifax. It was true that the condition of Cape Breton was vastly altered, but it was in such a way as to require more rapid communication with the capital for persons transacting business, and the canal would rather obstruct that than otherwise. Facilities for travellers and for light goods were necessary, but as for the coal trade and heavy traffic he did not hesitate to say that when completed the canal would be found to be perfectly useless.

Mr. CHURCHILL said that the canal was the illegitimate line of railway, and the one must be supported as well as the other. As to the merits of the St. Peter's canal he would be disposed to concur in the opinion of Mr. Archibald, but as the work had been begun on a certain principle the legislature should not deviate from it. He thought there was no doubt, in course of time, the work would be more beneficial than was generally supposed, for new

resources were being every day developed in the island, and in course of time a considerable quantity of coal would find its way by that route if the canal were ever finished, but that was questionable.

Mr. MILLER said that if the member for Victoria were present he could show that he himself would send large quantities of coal through the canal, and that mines were being discovered along the borders of the lake which could not be worked until navigation was opened. The leader of the opposition was therefore very much astray, and it was gratifying to know that the opinion of the hon. member for Hants was against him.

Hon. PROV. SEC. remarked that the name Bras d'Or Lake ought to be a sufficient guarantee for an auriferous character.

Mr. ARCHIBALD replied that there would be as much gold as coal shipped by the Canal.

Mr. MILLER replied that if the navigation was opened for coal gold would follow.

PETITION.

Mr. LOCKE presented a petition from Shelburne in reference to the establishment of buoys.

LUNACY LAWS.

Mr. ARCHIBALD called attention of government to the condition of our laws in reference to lunacy, which he said seemed to be a combination of three codes of law enacted at different times. The revisors had felt their hands tied comparatively, and had merely incorporated the existing provisions leaving them such a mass of confusion that one could hardly tell how business relating to lunatics was to be managed. He said he would state one or two instances to show the necessity for an alteration; under the present law it was competent for any two magistrates to arrest a person proved to be a lunatic, and to cause him to be imprisoned and sent to his place of settlement, where he would be kept in custody at the expense of the overseers of the poor, and if such person had property the overseers could obtain possession of it, but if two other parties should interfere, instead of arresting him in that way he could be sent to the hospital at Halifax, at the expense of the county; and the same law authorizing such a course falls to render it obligatory on the keepers of the asylum to detain the lunatic, so that he may be again returned at the expense of the county, and kept at the expense of the overseers of the poor. The county had no means of being indemnified for its expense, whatever property the person might possess. This was only a small portion of the difficulty that beset every one who had to deal with this business. The appointment of a guardian could be obtained from a Judge of the Supreme Court, but there was no provision limiting the guardianship. Another case of obscurity was where persons had been charged with criminal offences and acquitted on the ground of insanity; there were in such cases certain provisions authorising confinement but they were inadequate. Under the existing system about \$36,000 had accumulated as the arrearages of Counties and it was quite clear that considerable sums were paid from the Treasury which would not be chargeable on the counties and the counties were subjected to unnecessary expense. He suggested that a bill to remedy these anomalies be introduced and, at the re-

quest of hon. Prov. Secretary agreed to undertake the task of preparing such a measure.

Hon. PROV. SEC. suggested as the hon member had turned his attention to the subject, he should himself prepare a bill. By that means gentlemen would be able to arrive at a satisfactory solution of the question. No doubt the present regulations required considerable amendment. He was glad to find that the hon. member had been enquiring into the necessity of some amendment. The Governor in Council, for instance, could order the removal of a lunatic prisoner from the local prison to the asylum, but there was no power enabling them to take his property and expend it for his maintenance.

The subject then dropped.

Mr. KAULBACK presented the petition of James Kizer and 200 other inhabitants of La Have, asking for a Light-house on Moser's Head, Lahave river, and urged its favourable consideration.

Also a petition from the Board of School Commissioners for the district of Chester, against combining subscription with assessment for the support of schools.

Mr. BLANCHARD said he had called attention to the fact last session that there were four times as many lighthouses to the westward as to the eastward, taking the same extent of coast.

Mr. McDONNELL presented the petition of James Thompson, Margaree, asking for an increase of salary for keeping a ferry.

Mr. ARCHIBALD asked the government to lay on the table all the papers connected with the Empire Gold Claim.

THURSDAY, March 1, 1866.

The House met at 3 o'clock.

BILLS.

Mr. BOURINOT moved the second reading of the bills previously introduced by him viz : the bill to incorporate the New York and Cape Breton Coal Company, the bill to incorporate the Collins Coal Company, the bill to amend the act to incorporate the International Coal and Railway Company and acts in amendment thereof, and also the bill to amend the act incorporating the Boston and Bridgeport Coal Mining Company.

Hon. Mr. McFARLANE moved the second reading of the bill to incorporate Acadia Lodge of Freemasons at Pugwash.

These bills were read a second time and referred to committee on private bills.

CAPE BRETON AFFAIRS.

Mr. BOURINOT presented a memorial of Duncan McPhee, ferryman between Sydney Mines and Low's Point, asking an increase of salary, and strongly urged the claim of the petitioner. While on the floor, he said he would ask the indulgence of the House in a few remarks relating to Cape Breton, as he had been unable, owing to ill health, to be present in the House on the previous day, and felt himself called upon to make some observations in the interests of the constituents whom he represented. The subject had been introduced by a question from the hon. member for Inverness in relation to the expenditure of monies arising from the Crown lands. By sta-

tute those monies were directed to be expended on the roads in the several counties of the island, and he could not avoid expressing his surprise that they had been so long withheld, in view of the fact that they were claimed as a matter of recognized right. He had heard that one of the reasons for withholding these funds was that those counties had been receiving large extra grants, and on this circumstance great stress had been laid. In looking at the journals he found that they had not been so highly favored after all, though the Government could not have been justified in retaining those monies even if it were so. The County of Cape Breton, which he had the honor to represent, and which received the largest special grant of any of the Cape Breton counties, was apportioned last year the sum of \$7,400, while it would be seen that out of the 600,000 tons of coal exported from the Province, 400,000 tons came from that county; and yet it was said that she had been most highly favored, and was not in consequence entitled to her Crown land monies. The House well knew that the mines, situated as they were, greatly needed roads and bridges, and any one acquainted with the localities would say that a sum far larger than that was needed to make the roads fit for travelling. The grant to Cape Breton County, as he had said, was \$7,400 but he found that no less than \$10,000 was granted to Cumberland, a county represented by the Provincial Secretary, and one in which the gentlemen engaged in developing its resources required the public assistance, while in his own county they had nothing to depend upon but private enterprise, unaided by the advance of a single penny from the treasury. Kings County, not the largest in the Province, had received \$7000, Lunenburg \$10,000, and Pictou in face of the fact that an important line of railway was to be constructed to the harbour of that town, had received \$10 100. Yarmouth had been granted \$7000, probably for the best possible reason that that county was entitled to it, and he did not wish to be understood as disparaging the claims and wants of Yarmouth, but merely as showing that Cape Breton had not been more favourably considered than others.

Some reference had also been made to the Canal—he would say that every man in Cape Breton supported that work—the slowness of its progress was much to be regretted, but he presumed the Government were in earnest in the determination they had expressed. At the period of Mr. Laurie's report that gentleman was unable to see any sufficient indications of prosperity to warrant the projected outlay, but a comparison between that period and this would show how largely the circumstances of the country had changed. By the Canal the county of Inverness would be benefited only in a small degree, the two counties of Richmond and Victoria alone being able to avail themselves of its advantages, the county of Cape Breton not shipping a ton of coal in that way. It had always been stated that the Pictou Railway would confer great advantages upon the Island—it might be of advantage to Inverness and Richmond, but the great coal mining district was distant no less than 180 miles from the harbour of Pictou,

being as remote from New Glasgow as Halifax is from the most remote portion of the Western part of Nova Scotia;—for this reason it was proposed that the connection should be maintained on the completion of the Railway by a line of steamers, without which the Island would derive from that work no advantage whatever. It was true that all the counties of the Province at present received larger sums from the treasury than heretofore, but by taking a comparative view it would be seen that the claims of the Island counties were almost overlooked and ignored, and yet when these claims were pressed upon the attention of the House the special grants made from time to time were referred to as being a great boon to Cape Breton.

Mr. MILLER said that if the Government felt disposed to act in every matter as they had promised to act in the distribution of the Cape Breton Crown Land monies, he would be well satisfied with their conduct.

PETITIONS

Mr. MILLER presented to the House the petitions handed by him to the Government yesterday, respecting the location of the Railway Depot at New Glasgow. He intimated that the Government had already come to a conclusion that was, in all probability, favorable to the prayer of the petitions.

Mr. BLACKWOOD presented a petition from Robert Logan and thirty others asking aid for a Bridge across Wallace River, which, he said, was of great importance.

Mr. COLIN CAMPBELL introduced a bill to incorporate the Trustees of the Infirm Ministers' Fund of the Western Baptist Association of Nova Scotia.

Also, a petition for a breakwater in Digby County.

Also, a petition from Mr. Potter, of Smith's Cove, asking remuneration for certain services performed.

Also, a petition from John O'Brien, asking remuneration for clearing river obstructions.

Also, a petition from E. W. Potter, a Way Office keeper, asking an increase of salary.

Hon. Mr. McFARLANE presented a petition from Job Seaman and others, for an amendment of the Militia Law. He said it appeared that a number of laborers, after performing Militia duty in the other Province were accustomed to come over for employment, and having crossed the border, they were again called on to discharge the same duty in this Province. These individuals felt this to be a serious pressure, and the country was also deprived of their labor.

The petition was referred to the Committee on Militia Affairs.

Mr. S. McDONNELL presented a petition from the County of Inverness, complaining of the Act uniting the two Presbyterian bodies, and obtained leave to introduce a bill in accordance with the prayer thereof.

THE HALIFAX HORSE RAILWAY.

Hon. PROV. SEC'Y. laid on the table, in reply to the enquiry of Mr. Archibald, the specification in connection with the Pictou Railway, and explained some alterations which appeared on the

face of it. Also, other papers on the same subject.

Also, a petition which had been submitted to the Government by Messrs. Joseph Conlon and others, asking compensation for damages occasioned to them by the horse railway in Halifax. He suggested that this petition be referred to the Railway Committee.

Mr. S. CAMPBELL asked whether the Prov. Secretary was serious in suggesting that this petition be referred to committee? It was hard to say where such applications would end if the House allowed its time to be consumed with such matters.

Hon. PROV. SEC'Y. replied, that in the transaction of public business he was always serious. The Legislature had thought fit to pass an act incorporating a number of gentlemen who desired to introduce a horse railway, and some of Her Majesty's liege subjects thought they had sustained pecuniary damage thereby. It was the right of every person to come to the House by petition, stating a grievance which had arisen out of legislation. He would not say that the Government endorsed the petition, but he thought the public interests would be safe in the hands of the committee, and the parties would have the satisfaction of having their claims investigated.

Mr. PRYOR said he would be sorry that the House should deny a hearing to any petition addressing the House in respectful language. He felt it due to bear testimony to the respectability of the memorialists and to ask a reference to the committee.

Mr. SHANNON said that there were some peculiar facts connected with the petition: a number of years ago the Government had imported a number of omnibuses, and for a while had run them at their own expense, but finding the business unprofitable, the vehicles were sold to the petitioners with the understanding that, at least, so long as the omnibuses lasted, they would be undisturbed in the traffic.

Mr. S. CAMPBELL said that every cab driver would have a right to come and make a similar complaint.

Mr. TOBIN said that the petitioners were encouraged, and indeed solicited by the Government to go to a very large expense in buying stock for the carriage of freight and passengers to the depot. After they had been engaged in the business for some time and when they were just beginning to derive a profit from it, a company obtained a charter to lay down a line of railway which would monopolise the traffic. The question, therefore, suggested itself, whether these parties, having given certain accommodation to the public, had not a good claim for compensation.

Mr. ARCHIBALD said he presumed that the object of referring the petition would be to get information as to the facts. It was quite clear that a grant of remuneration would open a door to very extensive applications; for the same inconvenience had been felt on the Pictou and Annapolis stage lines, and if the Government should even subsidize a steamboat some parties would be found putting in a claim. Although the present demand might be a small one yet it was the little end of a

wedge, and the establishment of a principle on this subject should be carefully looked to.

MR. TOBIN said it was well known that the House did not adhere to principles; that a principle on one subject was laid down last year, and the most gross violation of it was established that was to be found in any Legislature in the world. The Committee on Trade and Manufactures laid down the principle that machinery should not be imported free of duty, and yet a large majority of the House, he alone sitting in opposition, allowed one individual to introduce his machinery free of duty and even allowed him an exemption of the property he was importing for manufacture. There was on the other hand an individual who was born in the country and who had given the country the benefit of his talents and enterprise in building up a large establishment but whose application to get a remission of his duties was positively refused. Unless principles were abided by, therefore, the less that was said about them the better; no one regarded the establishment of a principle as of more consequence than he, but partial legislation was a violation of duty on the part of the House that ought not to be sustained.

MR. PRYOR said that the right of a subject to petition the legislature was always regarded as a most sacred one and he should much regret this memorial being thrown out without a hearing. It might be referred to the Committee on Railways, and if it were found that the applicant had no claim for compensation the decision of the House could be framed accordingly, but it would be most unwise to reject a petition approaching the House in a respectful manner and setting forth a grievance.

MR. ARCHIBALD said that he did not oppose a reference to Committee. He was sorry to hear gentlemen charged with want of principle, and, however applicable the accusation might be to the government side of the house, he thought it should not be so universally applied by a member who himself seemed most anxious that the course taken should be such as to bring the house into the category described. Whatever action was taken in this instance would have to be taken in every other instance of the kind, and therefore he had felt it his duty to give a caution against the adoption of a principle. He was not sure that a person carrying the public mails for a length of time, and performing his duty well, had not a fair claim for compensation when the government, from motives of public policy, extended the line of railway.

MR. LONGLEY said he thought that most members would have some difficulty in seeing upon what principles the claim was founded or could be sustained. He was not aware of any circumstances that gave to these individuals a right to ask compensation for an interference with their arrangement caused by an undertaking such as the tram-road. They had purchased two or three omnibuses, but not under any special conditions, and they ran the same risk in purchasing stock for such an enterprise as Messrs. King or Hyde did in purchasing property to the value of thousands of dollars on the stage lines in connection with which those persons would probably suffer a severe loss on the completion of the Railways. He thought the soundest policy would be to reject petitions which it would be inconvenient

to respond to in the way expected by those submitting them. There was no doubt that the Messrs. Conlon would find some means of disposing of their stock, and at any rate the house was under no obligation in the matter. He would be the first to favor the petitioners in any way in his power, knowing them to be truly deserving and worthy persons, and was as anxious as any member to respond favourably to their memorial, but he felt confident that no one could make out a case for them in this particular.

HON. ATTY GEN said that it did not seem to him that the principle referred to was to such an extent involved, and he thought that each case must rest on its merits without its favourable consideration opening such a door as had been mentioned. The circumstances under which this claim was made seemed peculiar,—the Conlons being the parties who had, in fact, extended the railway operations into the heart of the city; and without knowing any of the particulars connected with the origin of their business he thought them entitled, in the first place, to a hearing; and if on that hearing they established their claim, the House should not shut its ears to any proposition of recompense. The Committee could enquire whether there was anything to take the case out of the general rule that private interests should yield to the public requirements, and it was time enough, when the house heard the facts, to give judgment.

The petition was referred to the Committee on Railways.

HARBORS IN RICHMOND.

HON. PROV. SECRETARY laid on the table a Report of Mr. McNab, C. E., on the deepening of certain harbors in Richmond County.

MR. LOCKE said that the House was often told how little was being done for Cape Breton; but it was seen that the greater part of the time of the house was occupied with the business of that part of the country, and now they were asking to have a harbor made in the middle of the Island.

MR. MILLER replied that the time of the house could not be better occupied than in paying attention to the wants and rights of the Island. He thanked the government for the promptness with which they had attended to the petitions of his constituents in this instance, and expressed himself gratified to find that the opening and rendering navigable of the two principal harbors mentioned in the report would be so feasible at so small a cost. As to the first, Grand River, even the hon. member for Shelburne, if he visited that flourishing locality, would be the first to rise and advocate the opening of the harbour. It was situated about fifteen miles from St. Peter's, and there was not a harbor of any description fit for the accommodation of the smallest class of vessels in the vicinity although it was a place of resort for fishing and several other purposes. Not only was Grand River valuable as a fishing reserve, but it was one of the finest agricultural districts in Cape Breton, and its usefulness and prosperity were much retarded by the want of any means of getting produce to market. He was also happy to find the engineer speaking as he had of this harbour, and thought that money could not be more advantageously expended than in adopting his suggestions. Whenever the lead-

er of the opposition heard the canal spoken of he invariably expressed a wish to forward any project connected with the welfare of the Island—here was an opportunity of shewing his sincerity by rendering useful support. As to Little Arichat it was unnecessary for him to say a word,—it was one of the most important harbours in the eastern part of the Province, and more shipping was owned out of it than in any other, excepting Pictou harbour. It was a flourishing seaport town, but the harbour was being injured, and if means were not taken it would in course of time be entirely useless. He thought he need not occupy time in arguing to the House the necessity of taking a step so largely demanded by the shipping community of Little Arichat, as the alacrity evinced by the Government made him confident that things would not be allowed to rest at this stage. As to the remarks of the previous speaker, he (Mr. M.) would be the last member to pass by the wants of Shelburne, knowing as he did that that county had similar claims and similar interests to the counties of Cape Breton, and he would go heartily with that hon. gentleman in advocating the rights of the shore counties, believing that their rights were to a large extent neglected and that those which contributed most largely to the revenue derived the least benefit from it. It was time that the representatives of these counties united to force the claims of their constituents and to obtain some degree of justice. While the claims of Shelburne were not stronger than those of Richmond, he would be happy to lend his aid in any reasonable scheme for its benefit; and the hon. member who had spoken would find it prudent to reciprocate. The necessity of taking action upon the report of the engineer was the more apparent from the fact that the country might bequeathed very long be called on to assume heavier liabilities, and might be in a position in which she could with less ease afford the outlay.

Mr. LOCKE said he had no antipathy to Cape Breton, but he felt she had received a large share of attention, and in this instance the action of the government led to the supposition that special grants were about to be made, while the other shore counties made applications from time to time without being supplied. If matters went on in this way the available funds would be so used up as to leave no human probability of other portions of the Province receiving a due allowance.

Mr. TOBIN thought the member for Shelburne had not much reason to complain; looking along the coast to the westward it would be found well lighted, nature had deepened its harbors, and towards the western extremity large sums had been expended for breakwaters. Cape Breton had not received an undue proportion of the public money, and looking to the eastward as far as Cape Canso, the coast would be found very badly lighted. Last year, by presenting the case of the Jed-dore Ledges, and by showing the amount of property and life lost there, he had been enabled to get a grant for a lighthouse that would be productive of benefit. Cape Breton was an island possessing unbounded wealth, and if the honorable member for Shelburne went there and witnessed its blue skies, its deep mountain gorges and limpid streams, and sailed over

the classic waters of Lake Bras D'Or, whose banks were once inhabited by a mysterious and enchanted race who fled to the mountains upon the first blast of the Highland bagpipes whence they did not venture excepting on New Year's Day, when they paid their respects to the hon. member for Victoria at Baddeck; looking at that charmed scenery, how could he rise and reflect on the claims of that Island on the Legislature. As to deepening harbours, he (Mr. T.) had some little experience, for the people of Herring Cove having petitioned the house for a grant of money to deepen their harbour, and a grant having been given, a person had been employed, with a dredge to do the work, but after operating there for some time the machinery broke, nothing but a narrow channel having been cleaned, and the people had complained that by the mud being thrown up at the sides, more damage than good was done, because they were no longer able to get access to their stages and wharves. If Richmond county obtained grants for these objects he hoped the members would be more successful. Little Arichat had a large amount of tonnage and had fair claims to consideration. As regards the claims of the fishing counties, it seemed as if the agricultural districts could get any grant they pleased for the importation of stock and for shows, while for these purposes the fishermen did not get a dollar. It might not be practicable to improve the breed of fish, but roads and bridges could be built to establish the necessary communication. At St. Margaret's Bay in the County which he represented, a grant of money had been expended with great advantage on a road from French Village to Dover, and these improvements showed how necessary it was to give attention to fishing communities.

Mr. C. J. CAMPBELL presented a petition from Cape North on the subject of deepening English. He said he rose with some embarrassment in view of the manner in which subjects connected with Cape Breton were received. For anything that had been said by the hon. member for Shelburne, no reply was needed as that gentleman always spoke with good nature, but when he heard the remarks of the would-be Attorney General of Nova Scotia, and saw the ignorance displayed by him in speaking of certain sections of the country he felt reluctance in bringing any case, however strong, to the notice of the house. He would say candidly to the house that Cape Breton did not feel proud of her connection with Nova Scotia, and that no greater boon could be conferred on the people of the Island than to disunite them. When that was the fact any gentleman coming forward to ridicule Cape Breton and her representatives, and displaying the ignorance of her affairs which the leader of the Opposition evinced, should be ashamed of his position.

PETITIONS.

Mr. C. J. CAMPBELL also presented a petition from the County of Victoria asking that an Engineer be sent down to English to report on the deepening of the harbour. He said this work was much needed as there were 70 miles of coast without a port for the accommodation of vessels. This district was rapidly progressing and the want of such a port was severely felt;—some years ago an Engineer had been sent down by the late Government, but like every-

thing else they put their hands to, death followed their efforts. He hoped the present Government would act more consistently with their duties and interests.

Also a petition from Rev. John Shaw and a large number of others asking a special grant to make a road across Cape Smokey which, he said, was a mountain dividing the county into two sections. The members in their appropriations had not been able to give it the necessary attention, and the barrier formed by the mountain was so great that travellers were obliged to lead their horses on one side or the other, which was a great inconvenience to the two large settlements growing up in that locality.

Mr. S. McDONNELL presented a petition from Cheticamp, asking the establishment of a ferry across Little River. He said that some individuals had hitherto been in the habit of crossing the river in a boat or scow without any remuneration.

Hon. PROV. SEC. laid on the table a return from the Halifax Poor's Asylum, which was referred to the Committee on Humane Institutions.

Mr. MCKAY presented a petition from the Postmaster of West River, asking for an increase of salary, but subsequently withdrew it for transmission to the Post Master General in accordance with the practice of last session.

Mr. COWIE presented a petition from an aged teacher. The petition was referred to the Committee on Education.

Also a petition from a person who had incurred expenditure on certain roads while holding the office of light-house keeper.

Mr. S. McDONNELL presented a petition for an increase of salary of the Postmaster at Mabou, but the hon gentleman withdrew it for reference to the Postmaster-General.

CONFEDERATION.

Mr. ANNAND said that in anticipation of a discussion upon a highly important subject, he wished to ask the government to lay on the table a comparative Return showing the amount of revenue derivable under a Canadian Tariff for articles chargeable under such a tariff. He intimated that some difficulty might arise in furnishing an exact return, but it would be useful as furnishing information.

Hon. PROV. SECRETARY said he was entirely ready to afford any information or submit any document in possession of the Government, but he did not understand that he was under any obligation to furnish such a return as that asked. The hon. member asking it had held the office of Financial Secretary and was as well acquainted with all the papers necessary to the compilation as any officer of the Government, and had them as entirely under his control. If such a course were adopted as that required the greatest obstructions would be occasioned. He would submit the request to his colleagues, but it appeared to him at the first blush to be asking for something outside of what it was usual for the government to furnish.

Mr. ANNAND said he differed from the Provincial Secretary in the remark made to the effect that the papers were as open to him as to the Government. He would remind the House that the papers had not been laid on the table, and no

member, therefore, was in a position to prepare such a statement as the one asked for; he did not see why the Government should shrink from furnishing such information.

Hon. PROV. SECRETARY said that one very serious objection had been thrown out by the hon. member himself when he intimated that there would be some difficulty in furnishing an accurate return, and that the answer must necessarily be hypothetical. The statement, if prepared, would admit of discussion as to whether it was correct and judicious, as the materials did not exist for giving an entire analysis. It was therefore throwing a scarcely legitimate duty upon the Government, and as to the observation that the necessary papers were not on the table, that difficulty would probably be removed on the following day when his colleague who had taken charge of the Financial Secretary's department would be prepared to submit the documents furnishing the necessary data. If such a return were furnished, instead of its being what a public document should be—so exact as to command confidence—a great deal of difference of opinion might arise upon its merits.

Mr. ANNAND replied, that no difficulty had been found in New Brunswick in furnishing this information, and he did not see why the Government should put itself in the position of being confessedly unable to submit documents which the Government of the other Province submitted without hesitation.

Mr. TOBIN enquired what the house had to do with the Canadian Tariff? If any gentleman was desirous of addressing the House or the public on the subject of Confederation, and thought he was in a position to draw an argument from that source with advantage, he could go to work and contrast the public documents and the revenue laws, the exportations and the consumptions, without applying to the Government. He did not rise for the purpose of objecting to the Government furnishing the desired information, but he thought it a question which no Government should be bound to answer. This he considered the introduction of the question of a Union of British North America in an indirect manner, and if it were so understood and a discussion were to follow, he could not shrink from expressing the opinion he always held. Every man looking at the condition of the British North American Provinces, must come to the conclusion, that they could not long remain in their present position. This was seen and felt in the House, where things had greatly changed in the progress of six or seven years. (Mr. Annand here rose to order.) Mr. Tobin continued, arguing that the object in making the request was to show that a Union with Canada would result in overtaxation, but would the Canadian Tariff be the tariff of the United Provinces? When the men representing all the Colonies met together, they would no doubt frame a new tariff with wisdom. If the Government chose to furnish the information and to employ their clerks in preparing this return it would be their own business, but he thought it could be done as well by any hon. member.

The subject then dropped.

IMMIGRATION.

Hon. PROV. SECRETARY laid on the table the Report of the Immigration Agent for the past year, and took the opportunity of explaining to the House that a perusal of the document would show that something more had been accomplished in this department than in previous years, and said he wished to explain some steps that the Government had felt it their duty to take on the subject of Immigration, in advance of the authority usually granted by the Legislature in relation to such matters. When the difficulties presented themselves in the construction of the Pictou Railway, and a large deputation of the contractors called on the Government to urge the necessity of bringing additional labour into the country, in order that the public works might be successfully carried on, the Government, he said, were advised by the Chief Engineer that it would be most advantageous to make some exertions in this direction. At a subsequent period, when they assumed the works, the necessity again forced itself upon the Government of making an effort to direct a tide of immigration to these Provinces, and the time appeared most opportune for the attempt. A measure had been submitted by the late Government to increase immigration facilities, from the belief prevailing that an increase of population so obtained, materially tended to advance the interests of the country. The House would perceive that at a time when not only a line of Railway to connect with the Gulf of St. Lawrence, but other lines to connect with New Brunswick and Annapolis were placed under contract, the necessity for cheapening the work in hand rendered it still more desirable that efforts should be made to bring the requisite labor into the country, and to set forth the inducements which the Provinces held out for immigration and the large remuneration which industrious laborers might expect. Having made every enquiry as to the course which should be adopted, the Government came to the conclusion that it was in vain to attempt much in the way of distributing information through the regular channels unless agents were appointed clothed with the proper authority and expecting remuneration for their services, and when difficulties occurred in the construction of the Railway to Pictou, the urgent nature of the case demanded that the Government should take the responsibility of appointing such agents in London, Liverpool, Glasgow, and, as soon as possible, in Dublin, for the purpose of distributing information and of obtaining direct transport at cheap rates to Halifax, or some port in the Province. Capt. Liebman, who was connected with a house in this City, and was the agent for a Hamburg line of steamers running between that place and New York, the company controlling which were willing to establish a connection with Halifax, was also appointed an agent, and Mr. Boggs at London, Mr. DeWolf at Liverpool, and Mr. Campbell at Glasgow, were duly authorised to make arrangements for cheapening the passage money because the Government had ascertained that these were the means so successfully employed by

agents of the United States. Under these circumstances a Minute of Council had been passed, authorising these gentlemen to act for the Province and assuring them of a return of \$10 for each able bodied emigrant landed here, the Government believing that by these means such measures would be taken as to establish direct communication with this Province, bringing into the country number of labourers by whose presence the interest of the country would be advanced, and providing the labour necessary to carry the public works to completion as rapidly as was desirable. He had felt it his duty to make these explanations in order that the House might understand the circumstances under which the government assumed so great a responsibility in connection with this subject.

The Report was allowed to lie on the table.

PETITIONS.

Mr. CHURCHILL presented a petition from Hauts praying aid for a bridge.

Mr. PRYOR presented a petition asking for a light house at Peggy's Point. He said that he had brought forward a similar petition for a great many years, but to no purpose; he trusted that the Government would at last yield to the prayer of the petitioners and carry out a project which was so very desirable on that part of our coast.

Mr. KAULBACK contended that the proper place for a light house was on Ironbound Island, off Chester, as any one must know who had any acquaintance with our coast navigation.

Mr. PRYOR said if the hon. gentleman would present a petition as largely signed as the one just handed to the Government, there might be some foundation for what he said.

Mr. KAULBACK was quite prepared to accept the hon. gentleman's challenge.

Mr. KAULBACK presented a petition from a very large number of the leading inhabitants of Bridgewater, asking for an increase of salary to their Postmaster, commensurate with his largely increased duties.

Also, a petition largely signed by inhabitants of Bayswater and vicinity, for a road from Coleman's Cove to main road.

Also, a petition largely signed from Chester, for a special grant of money to alter and avoid the bills on the great post road to the eastward of that town.

Also, a petition from Petite Riviere for aid to rebuild Cassie Bridge. Mr. Kaulback urged the importance of the objects prayed for to the favorable consideration of the Government. -Petitions were referred to the Financial Secretary.

The House then adjourned.

FRIDAY, March 2, 1866.

The House met at 3 o'clock.

PETITIONS.

Mr. BOURINOT presented a memorial from Robert Martin, Postmaster of Sydney, asking an increase of salary. He said that the application arose from the fact that that officer had now to make up a daily mail instead of a tri-weekly as heretofore. In reference to the daily mail he remarked that his efforts had

been the means of obtaining that accommodation to Cape Breton, on the ground that her increase of trade had been such as to warrant the demand. He was gratified to find, from a statement derived from the most authentic source, that he was justified in requesting the change; the alteration had cost \$2000 last year, but he had felt confident that in course of time this increase would be met by the large addition to the correspondence which would result, and he now found that that addition had been so great as to show that his anticipations were correct for the gross revenue of the Sydney office in 1864 had been \$1230, while in the past year it amounted to \$2220, being an increase of \$1000, and covering, in the first year, one half the sum advanced for the accommodation. These facts showed that in the course of a year or two the sum realized would be more than the outlay.

MR. S. CAMPBELL presented a petition from Marie Joseph, asking the Government to take into consideration a case of peculiar hardship affecting some of the inhabitants of that place. It appeared that some parties applied to the Way Office Keeper and procured his services to draw up for them an application to the Crown Land Office for a grant, paying to him the sum of money necessary to accompany it, viz., £11. That money never reached Halifax, and the parties were unable to procure either their funds or the grant. He understood that the Post-Office Department had caused an investigation of the matter to be made. It might be said that the money had not been remitted in the usual way, but it should be remembered that the locality was 20 miles from any post office, and that the way office could not afford the usual accommodation for remitters. The way office keeper being also a magistrate, the parties had naturally applied to him, but between him and the courier the matter rested, the money never having reached Halifax, and the case was a very hard one, considering that the applicants were poor, and that one of them was a cripple.

MR. TOWNSEND presented a petition for a breakwater in Yarmouth county.

MR. ROBICHEAU presented a petition from the inhabitants of Meteghen river, township of Clare, asking aid for a breakwater.

Also, a petition from inhabitants of Saulnierville, on the same subject.

Also, a petition from inhabitants of Comeauville, on the same subject.

Also a petition from James Thibadeau and others for aid to a road.

Also a petition from Anselm Thibadeau and others for aid on Yarmouth road.

Also a petition from C. Sabine and others for aid on Clay Brook road.

MR. COFFIN presented a petition from the inhabitants of Cape Negro Island, for an extension of mail route.

MR. S. CAMPBELL presented a petition from the inhabitants of Cape Canso, asking additional mail accommodation. He said that the residents at this locality were aware that a daily mail with Cape Breton had been established, and they wished to participate in that justice which was always done to the Island. If this privilege were not extended, he thought they would pray for annexation to Cape Breton.

BILLS.

MR. PRYOR, as chairman of committee on private bills, reported up the bill to incorporate the New York and Cape Breton Coal Co., the bill to incorporate the Collins Coal Co., and the bill to amend the act incorporating the Boston and Bridgeport Coal Mining Co., also the bill to incorporate Acadia Lodge of Freemasons without any amendments, and the bill to amend the act incorporating the International Coal and Railway Co., with amendments.

MESSAGE.

The Legislative Council, by message, informed the house that the humble Messrs. Brown, Paterson and Holmes had been appointed a committee to examine public accounts.

MISCELLANEOUS.

MR. FILL enquired when the papers relating to the Penitentiary would be laid on the table.

Hon. PROV. SEC. replied to-morrow.

MR. MCLELAN presented a petition for a road from Folly Village to Acadia Mines, which, he said, required a larger sum than the members of the county had been able to appropriate.

MR. KAULBACK presented petition of Thos. K. Cragg and others asking for special grant to avoid "Rye piece bill," on Pleasant River road. And urged the prayer of petitioners on the favourable consideration of the government. The petition was referred to the Financial Secretary.

Hon. PROV. SEC. laid on the table copies of the accepted tenders in connection with Picton Railway.

MR. MCLELAN presented a petition in reference to a ferry from Londonderry to Maitland.

MR. MILLER asked the government to lay on the table a return shewing the amounts of paid and unpaid assessment in the County of Hants for the right of way and railway stations.

Hon. PROV. SEC. laid on the table the Report of the Secretary of the Board of Statistics in reference to Births, Marriages and Deaths.

Hon. PROV. SEC. laid on the table copies of correspondence relating the Fishery Commission.

PROTECTION OF FISHERIES.

Hon. PROV. SEC. laid on the table copies of correspondence relating to the protection of the fisheries. He said he would take this opportunity to state that when the government found there was every reason for supposing that the government of the United States would persist in the abrogation of the Reciprocity Treaty and that during the present month that Treaty would be brought to such a termination as not to entitle the people of the United States afterwards to the use of the fishing grounds of the Provinces, the administration felt, it their duty to communicate in the strongest terms with Her Majesty's Government and to urge upon them every consideration in order that such a force might be placed at the disposal of the Admiral on the British North American Station as would give protection to our fisheries and prevent intrusion. It was felt that the interests of the Provinces required that such intrusion should be prevented, for it was well known that one

of the strongest motives and inducements which the people and the government of the United States had to enter into the Treaty was the settlement of the vexed and difficult questions relating to the fisheries, and it was believed that efficient protection from intrusion by those people after they had forfeited all claims to participation, would not only have the effect of advancing the interests of the fishermen in the way to which they were entitled, but would be the means of shewing most conclusively to the government of the United States the great injury which they had inflicted upon their own country and people. Prompt attention was the more necessary because it was well known that a great deal of difficulty had been encountered, leading to an acrimonious feeling between the two countries, and raising embarrassing and unpleasant questions. The very fact that the American fishermen had for the last eleven years enjoyed free access to the fishing grounds, and that a large number had engaged in fishing pursuits compared with those so engaging before the Treaty, would necessarily lead to those grounds being the resort of a far greater number who would be likely to intrude than previously. It was also felt that the abrogation, by imposing heavy taxes, would place the fishermen of the United States in such a superior position with reference to the markets, that their inducement to encroach would be infinitely greater than before. Under these circumstances the only means by which our fishermen would have a chance to compete would be by a rigorous exclusion of all others from the grounds. The government, therefore, made the strongest representations to the Imperial government that it was in their power to make, urging by every consideration the importance to Imperial as well as to colonial interests of prompt action in the matter, but he regretted to say that up to the present time no reply had been received, and the correspondence had therefore to be submitted in an unfinished state.

MR. ARCHIBALD expressed his satisfaction at hearing that the Government had taken steps in connection with a matter of such importance. He had no doubt that it would be much more difficult henceforth to protect our fisheries than it had been previous to 1854. It was not until 1818 that American statesmen acknowledged that the Province had any right to prevent American vessels fishing in our waters. Then arose the subsequent difficulty in reference to the construction that should be put upon that part of the treaty which confined the Americans to three miles distance from our coast. British Statesmen always contended that the league should be measured from a line drawn from headland to headland, whilst the Americans asserted with great persistency that it should be run from the shore of the coast. By the treaty of 1854 mutual concessions were made, and certain commercial arrangements entered into, but the vexed question of distance was not settled, but would rise again with the termination of that treaty. Now there was much reason to fear that American fishermen would continue to resort to our waters notwithstanding

the repeal of the treaty. He thought that the Province should agree upon a united plan of action in order to protect their natural rights. He wished to know if the Confederate Council had enquired into the subject, and when the report of its proceedings would be laid before the House.

HON. ATTY. GENL. said that the present subject was one of the most important and delicate questions that could be brought before the house. There was no doubt that if the renewal of the Reciprocity Treaty was not agreed to, and the right to our fisheries hitherto enjoyed by the Americans was not continued, it would be imperative on us to take speedy and energetic measures for the protection of these fisheries. During his recent visit to Washington he endeavored to ascertain from the gentlemen representing the other provinces how far they would be prepared to co-operate with Nova Scotia in the event of the abrogation of the treaty. He was glad to be able to report that these gentlemen did not hesitate to give him their assurance that their governments would be most happy to unite with that of this province in any measure that might be considered necessary for the protection of our rights. They expressed their willingness to agree to such legislation as would give officers belonging to any of the provinces the power of making seizures within the jurisdiction of any of the colonies. The Americans had not only contended previous to 1854 that they had the right to fish within three miles irrespective of the headlands, but they also laid claim to the right of the navigation of the Strait of Canso. The question of the distance was brought to the notice of the Imperial authorities by Lord Falkland in a despatch which also alluded to the subject of the Strait of Canso. The British Crown officers gave it as their opinion that the American fishermen had no right to navigate the Strait of Canso except by permission. The main features connected with the correspondence that took place at that time was to be found in a report on the subject that had been presented by himself (Mr. Henry) in 1851, and signed by four other gentlemen of the house. That report was received and a number of copies were printed; and if any gentleman looked at that report he would see that the opinion of the Crown officers was cited as well as that of Kent, an eminent American authority, in respect to the territorial rights of countries. The language of the treaty of 1818 clearly excluded the Americans from fishing except at a distance of a marine league measured from a line drawn from headland to headland. Neither were they allowed to enter into any of our bays. If they were not allowed to enter the bays it was clear that they could not approach our coast closer than three miles distant from a line drawn across the entrance of those bays. They attempted to avoid the true interpretation of the treaty, and contended that the small bays only were meant. In a correspondence that took place between the American

and British Governments, the former contended that they had the right to enter the Bay of Fundy, inasmuch as one of its headlands belonged to themselves. They also claimed a right to the Bay Chaleur, but they had no such argument to advance as in the case of the other bay. We could not expect that the American Government was going to accept the construction that we might put upon the treaty, and it was not improbable that American fishermen would stoutly resist any attempt that might be made to drive them from the water where they had now been fishing for so many years. The delegates were told in Washington that the Marblehead fishermen had now learned the use of arms, and would prove it in all probability if they were restricted from the enjoyment of privileges which they had so long enjoyed. Under such circumstances the Provinces were called upon to agree to some united action. We must be prepared to maintain our own construction of the treaty, and meet the consequences that may ensue from this determination. He was of opinion that if we could prohibit Americans from navigating the Strait of Canso, much advantage would arise. If that were the case it appeared to him that the expense of protection would be materially lessened. He had had some communication with American public men, and when he had pointed out to them the position and width of the Strait of Canso, they had to acknowledge that we had good reasons for the claims we made. Mr. Henry then went on to refer to the report of Mr. Derby, of Boston, made at the request of the American Secretary of the Treasury, and showed that that gentleman even could not base the claims of the Americans on the navigation of the Strait on anything like tenable grounds. He hoped that gentlemen around the benches would consider the question with the greatest care and freedom from excitement. He was not without hopes, that, before the Legislature closed its labors, they would have from the American Government an intimation of a change of views that would preclude the necessity of resorting to the steps that would be otherwise necessary for the protection of our rights. He would add that the position of our country was very different to what it was in 1854. Looking at the list of shipping that was now engaged in fishing, he found that the increase of tonnage and number of men engaged was very large compared with the year in which the treaty was entered into. If the rights of our fishermen were properly maintained, that important interest would soon make up the expense that would be incurred for its protection. He had been glad to understand, from a reliable source, that at least 15 or 20 per cent. would be added during the present year, to the aggregate of this branch of industry. In view of such an encouraging fact, it was necessary that every consideration should be given to the subject which was now engaging the attention of the House.

Mr. LOCKE said that the fishery question was

of the greatest importance, as it would be in all probability the means of bringing the Americans to their senses. He believed that the true interpretation of the treaty of 1818 was that the distance should be measured from the headlands, but that matter was not of such real importance after all. The Americans knew that the mackerel fishery could only be carried on with advantage to themselves in the fall of the year, by getting within three miles of the shore of the Bay of Chaleur. As far as the codfishery was concerned we had nothing to fear. The Bank fishery was much outside of any line that could be drawn from headland to headland. Strongly worded application should be made by the government to the Imperial authorities relative to the protection of our fisheries. If we could get no aid from them then we would know what we had to do. The Bay of Chaleur was undoubtedly the point which would have to be most particularly watched. If vigorous measures were taken in this way, the American government would be gradually brought to see the necessity of retracing the false step they had taken as respects their own interests.

MR. ARCHIBALD said that the treaty read thus:—"American fishermen shall renounce forever any right hitherto enjoyed or claimed by the inhabitants to take and cure fish on or within three marine miles of any coasts, bays, creeks, or harbours of His Britannic Majesty's dominions in America not included within the above." The construction put upon the treaty by the Americans was that it allowed them to come within any place three miles from the shores of the bays or harbours of our coast; and therefore if a harbour were more than 6 miles in width they declared they could enter and fish in it. On the other hand, the British authorities always maintained that the distance must be measured by a line drawn from headland to headland and the officers charged with the protection of the fisheries were called upon to carry out this construction. In 1854 when the Reciprocity Treaty was agreed upon, this question was not taken up at all, but as a matter of course fell into abeyance to be revived at the expiration of that treaty. He thought under all circumstances it behoved the Government of this country to arrange a Convention with the other Colonies. We knew that only a small portion of the fishing grounds was on our coast. Other portions were within the limits of other Provinces, and it was therefore necessary for all to take measures for the protection of what were mutual interests. He could understand without difficulty the position of the British Government in this matter. It was a very serious matter for Great Britain to undertake to protect these fisheries. Such an undertaking necessarily involved contingencies of a very delicate and important character. No doubt she would be little anxious to involve herself in unpleasant difficulties with the United States; but then it must be remembered that she had given her construction to the treaty, and that her honour was concerned in maintaining that construction. If she saw that these Provinces were ready to do their share in protecting their rights, doubtless she would come forward and respond to our request. In conclusion, he added that what he asked of the Government was that they should lay on the table the report of the results of the convention to which he had previously alluded.

Hon. ATT. GENERAL replied that the Convention that met at Quebec was more for the purpose of considering commercial treaties than for dealing with such matters as the protection of the fisheries which properly came within the purview of Parliament. The report, however, on the subject of that Convention would be laid on the table of the House in a day or two. The hon. gentlemen then went on to quote what was said by Kent, one of the best lawyers in the States, on the subject of territorial rights, and contended that according to the principles laid down by that eminent authority, the Americans had no such rights in connection with our fisheries as they had laid claim to. He again argued that the construction put upon the treaty by the Americans was not at all tenable, and could not be maintained seriously by those who looked into the question thoroughly. The following is the opinion of Chancellor Kent, which the Attorney General read from the report which he had presented in 1851:—

“It is difficult to draw any precise or determinate conclusions amidst the variety of opinions as to the distance to which a State may lawfully extend its exclusive dominion over the sea adjoining its territories, and beyond those portions of the sea which are embraced by harbours, gulfs, bays, estuaries, and over which its jurisdiction unquestionably extends. All that can be reasonably asserted is, that the dominion of the sovereign of the shore over the contiguous sea extends as far as requisite for his safety, and for some lawful end. A more extended dominion must rest entirely upon force and maritime supremacy. According to the current of modern authority, the general territorial jurisdiction extends into the sea as far as cannon shot will reach and no further, and this is generally calculated to be a marine league; the Congress of the United States have recognized this limitation by authorizing the District Courts to take cognizance of all captures made within a marine league of the American shores. The executive authority of this country in 1793 considered the whole of Delaware Bay to be within our territorial jurisdiction, and it rested its claims upon those authorities which admit that gulf, channels, and arms of the sea belong to the people with whose lands they are encompassed. It was contended that the law of nations would justify the United States in attaching to these coasts an extent into the sea beyond the reach of cannon shot. Considering the great extent of the line of the American coasts, we have a right to claim for fiscal and defensive regulations, a liberal extension of maritime jurisdiction; and it would not be unreasonable, as I apprehend, to assume for domestic purposes connected with our safety and welfare, the control of the waters on our coast, though included within lines stretching from quite distant headlands, as, for instance, from Cape Ann to Cape Cod, and from Nantucket to Montauk Point, and from that point to the Capes of the Delaware, and from the South Cape of Florida to the Mississippi. It is certain that our Government would be disposed to view with some uneasiness and sensibility, in the case of war between other maritime powers, the use of the waters of our coast far beyond the reach of cannon shot as cruising

ground for belligerent purposes. In 1793 our Government thought they were entitled, in reason, to as broad a margin of protected navigation as any nation whatever, though at that time they did not positively insist beyond the distance of a marine league from the sea shores; and in 1806 our Government thought it would not be unreasonable, considering the extent of the United States, the shoalness of their coast, and the natural indication furnished by the well-defined paths of the Gulf Stream, to expect an immunity from belligerent warfare for the space between that limit and the American shore.” From the foregoing extract, it would be observed, said Mr. Henry, that this eminent American jurist agreed with the principle put forth by the Law Officers of the Crown, and which justified the conclusion “that no foreign power, independent of treaty, has any right to navigate the passage of Canso.”

Mr. S. CAMPRELL said that the question was really one in which two great nations were interested. It was true, colonial interests were affected by the treaty, but it was essentially one between Great Britain and the United States. It was a very delicate matter, and should not be interfered with except by those whose special business it was to touch it. Whilst he felt some degree of satisfaction at the course that had been pursued by the Colonial Governments, he did think there was some ground of complaint when we considered the indifference which the Imperial authorities had manifested, by not having answered the communications addressed to them on the subject. He could not see how it could be fairly assumed that the people of this Province were unwilling to do their duty in reference to the protection of the fisheries. At a time when this Province was far less able to bear the expense she performed her part well. He thought that the whole subject should be referred to the Committee on Fisheries, in order that they might look into it thoroughly, and report in favor of a joint address being sent by the Legislature to the Imperial Government. If, then, no attention were paid to our strong remonstrances, it would be our duty to adopt that course which our interests should demand.

Mr. ANNAND said that every one must feel the importance of the subject, and that we were all interested in protecting the fisheries, but at the same time it must be borne in mind that we were only Colonists, and could not take the initiative in the matter. The action should be properly initiated by the Imperial Government. Suppose a sum of money were granted, and a vessel was bought, manned, and equipped, who was to take charge of her? It was perfectly clear that the only persons who could do so were the officers accredited by Her Majesty's Government. He thought under the circumstances they should approach the Home Government, and ask them to accept a subsidy from us as an equivalent for the expenses they may be put to for protecting our fisheries. He was not, however, without hope that these measures might not be necessary, for he had heard that the list of duties now proposed to be levied on our imports into the United States was small compared with those first pro-

posed. It would be perhaps better for us to make some little sacrifice in order to avoid the heavy expenditure and the difficulties that would arise from protecting our fisheries. Too much caution, certainly, could not be observed in dealing with a question of so delicate a character.

HON. PROV. SECY. said that it would be seen, by reference to the documents just presented that the sentiments expressed by the two last gentlemen reflected those of the Government. The latter had felt that there were two features that should be considered in dealing with this question. In the first place it was evident that all the resources that the Legislature could grant to the Government would be entirely inadequate to the protection of the fisheries, if the United States should be resolved upon infringing upon our rights. In the next place the question was one of great delicacy, for the first shot that was fired by a Nova Scotia vessel might cause war. That war would not be between Nova Scotia and the United States, but between that country and Great Britain. Under these circumstances, it was necessary for us to set forth these facts as strongly as possible to the British Government, and to ask them to take such steps as would prevent our fishing grounds being encroached upon. If it became known that the protection of the fisheries was left open to these Provinces, it would only invite aggression. He quite agreed with the remarks of the hon. leader of the opposition, when he said that this Province should contribute towards the protection of the fisheries. The Government had waited day after day, hoping they would be able to lay before the House the answer of the Imperial authorities on the subject, but they had been obliged to present the correspondence in its present unfinished state. His colleagues and himself were not afraid to meet any responsibility, but they had thought it more judicious and respectful to lay the whole subject before the Legislature. He thought that the best mode would be to refer a matter of such grave importance to a special committee. He had observed with much satisfaction that the delegates to Washington had shown every disposition to go as far as they could consistently with the interests they were sent to guard, and at the same time not to yield to demands that were unfair to the Provinces. He now noticed that some of the most influential journals in the States had changed their tone since the delegates had rejected the proposals made to them with such promptitude, and were blaming the American Government for pursuing the course they had done. He hoped that the spirit which was now exhibiting itself in the States would end in results that would preclude the necessity of any such measures being taken as were now proposed for the protection of our rights. That these fisheries should be protected efficiently by all the means in our power, all must agree. The hon. gentleman then proposed that the special committee be as follows:—Prov. Secy. Archibald, Atty. General, Annand Jost, S. Campbell, Coffin, Tobin.

Mr. ARCHIBALD said that he looked upon the fisheries as forming just as much a part of our territory as the land itself. He then went on to

refer to the recent negotiations at Washington, and expressed the opinion that the delegates must have themselves been pleased to find that the propositions they had made had not been accepted. If they had accepted the proposals of the Americans, we would have been playing into the hands of the United States. We would gradually have been brought to look to Washington rather than to the mother country, for all our commercial interests would naturally depend on the legislation of the United States. It was therefore, a matter of congratulation to the different Provinces that the negotiations had terminated as they had.

HON. ATTORNEY GENERAL said the remarks made by the hon. leader of the opposition required a few words in answer. He would say at once that before he left Halifax for Washington it was generally believed that no attempt that could be made for a renewal of the treaty would be likely to be successful. When the delegates first met in consultation they felt that it was useless to urge a renewal of the treaty, or even a new treaty, in view of the temper of Congress.—The delegates were put in communication with the Secretary of the Treasury, through the instrumentality of Sir Frederick Bruce. They were next brought into communication with the Committee of Ways and Means. They were not prepared at first to express to that Committee exactly what course they would be likely to propose, but after some investigation they were led to believe that an arrangement might be made that would be advantageous to the interests of all the countries interested. The Americans urged that in view of the altered circumstances of the United States, their people were placed at a disadvantage compared with those of the British North America. They contended that those engaged in the production of the materials of the forest, farm, and fisheries were placed in an inferior position in comparison with foreigners.—It was thought that they would be willing to accept such small duties as would place the people of the two countries on the same footing. The delegates, however, brought to the notice of the Committee that they could not be a party to any arrangement that would enable the Americans to collect one penny in support of the revenue—for the payment of their war debt, or the current expenses of the government. The moment any other arrangement was made, they said they would recede from the negotiations.—They were quite prepared to agree to any arrangement that might be just to all parties, but as far as Nova Scotia was concerned he gave the Committee distinctly to understand that he could not be a party to any plan that would interfere with the right of the people to tax themselves as they chose, through their representatives in the Legislature. He was free to say that he was disappointed when he found that the committee, so far from looking at the question in its true aspect, endeavored to engraft upon the terms proposed the principle of protection. As soon as that fact was evident, the Delegates said they must end all negotiations. He had now heard that the committee had reconsidered the matter, and had presented a bill to Congress in which

they had reduced the scale of duties to the extent of 30 per cent. He regretted, however, to understand that they had actually raised the duty on coal to \$1 25 a ton, in place of the low rate they had originally decided upon. He would add that in the negotiations some of the American public men exhibited an amount of ignorance respecting questions connected with fish that surprised him not a little. He quite agreed with gentlemen as to the necessity of protecting the valuable fishing rights that these Provinces possess. We should take such means as would show our determination to protect our fisheries at all hazards. He believed that there were abundant reasons for the course that was pursued by the British Government. It was known in England that steps were being taken for the renewal of the Treaty, and it might have been thought that there would be no necessity for such means as were proposed for protection. He did not agree with the hon. member for East Halifax (Mr. Annand) that the vessels fitted out for protective purposes would have to be under the command of British officers; that did not follow at all. It would be quite sufficient to give power to the Governor in Council to issue commissions to our own officers.

Mr. COFFIN said there was too much stress laid on the enormous expense that would be necessary for the protection of our fisheries. That protection would not have to extend over the whole coast. If we could prevent American fishermen navigating the Strait of Canso, a large amount of trouble and expense would be saved. The fishery that it was necessary for us to protect was that on the coast of Cape Breton in the fall of the year. He believed that this Province even without the assistance of the Imperial Government, could efficiently protect those grounds that were valuable, and should be kept free from the encroachments of the Americans. He hardly expected that the American Government wished to violate our rights, but it must be remembered that they could not keep an eye on the myriads of fishermen who flocked to these waters at the fishing season.

Mr. MILLER read a statement from one of the Boston papers purporting to give the bill reported to Congress, and in which the duty on coal was put at 50 cents per ton. He expressed his gratification that gentlemen on all sides were so unanimous in desiring to protect the great interests of this country. He did not know how far we could prevent the navigation of the Strait of Canso by the Americans, but no doubt if it were possible, one most effective means of protecting our fisheries would be found. If the treaty were abrogated and American fishermen were still allowed to fish in our waters, without any return on their part, our people would be undoubtedly placed at a disadvantage. He could not suppose for a moment that the Imperial Government would stand by and allow what were Imperial rights to all intents and purposes, to be violated, by foreigners. He had no doubt that the same course would be followed by the Home Government as was pursued some years ago. He remembered the time when one old steamer, the *Devastation*, was able to keep several hundred American fishing vessels

in Port Hood for some weeks. He therefore believed that one or two steamers could effectually perform all the work that would be required as far as this Province is concerned.

The motion for a special committee was then agreed to.

MISCELLANEOUS.

In answer to a question put by Mr. Archibald, the Provincial Secretary stated that a report would be laid on the table in a day or two, respecting certain school lands—a subject which was referred to a special commission since last session.

In answer to the same gentleman, the Provincial Secretary also stated that the entire engineering staff on the Pictou Railway are in the service of the Government, and under the direction of the chief engineer, but all expenses connected therewith will be chargeable upon the contractor, except the salary of the chief engineer, which is £600 a year.

Hon. PROV. SECY. laid on the table an abstract in connection with the Pictou Railway, asked for by Mr. Archibald.

The House then adjourned until Saturday at 11 o'clock.

(The petition presented by Mr. Blackwood on Thursday was for a bridge across Waugh River, and was signed by R Logan and 120 others.)

SATURDAY March 3, 1866.

The House met at 11 o'clock.

PETITIONS.

Mr. PARKER presented a petition from T. Foot and others, of Colchester County, on the subject of Education.

Also, a petition from Thomas Barker and others, for change of mail route.

Mr. HEFFERNAN presented a petition from the Postmaster of Guysboro', asking an increase of salary.

Mr. KAULBACK presented a petition from the Gold River Mining Company, asking the construction of a road to the claims held by the company. He said he was sorry to see, by the report laid on the table, that the Ovens had not been very productive during the past year. He thought there was a prospect of a revival of business at that locality, and that every inducement should be held out to parties engaged there in mining operations. The company petitioning he knew had expended a large amount of capital in opening up their claims.

Hon. PROVINCIAL SECRETARY enquired what was the difficulty in making provision for this road out of the ordinary road grants?

Mr. KAULBACK replied that the road would be merely for the convenience of the company.

Mr. TOBIN asked what was the object of the large special grants of last year if it were not to meet such requirements as these? The grant to Lunenburg had been considered sufficient to improve all the existing roads, and also to build a good road around LaHave, in order to discontinue the ferry, which however efficiently managed, was a great inconvenience. That grant was almost large enough to build macadamized roads throughout the county.

Mr. KAULBACK replied that the grant to the County of Lunenburg had been wisely expended, but had failed in perfecting the roads al-

ready made. The hon. member for Halifax was not sufficiently acquainted with the condition of the county if he supposed the sums given adequate for all purposes. Lunenburg, he said, had more roads, and more expensive roads, than any other county.

Mr. DONKIN presented a petition for a special grant to the road between Acadia Mines and Folly Village; also, a petition from Geo. Logan and others for a grant to the Amherst and Farrisboro' main road.

Hon. ATTY GEN. suggested to gentlemen who had petitions in their possession relating to the ordinary service of the country, that it was useless to hand them in to the Government, for it would only involve the trouble of having them sorted and returned to members to be provided for out of the road grants. If gentlemen had petitions on subjects of such commanding importance as to require that the Legislature should deal with them irrespective of the ordinary mode, the case would be different, and such a fact should be always stated. The policy of the Government had not yet been declared in connection with this subject, and no-body knew whether any special grants would be given.

Hon. PROV. SECY. urged the importance of the latter petition presented by Mr. Donkin.

Mr S. CAMPBELL admitted that the indiscriminate presentation of such petitions was injudicious, but said that there were large matters in which the people took a deep interest, and on which they took a great deal of trouble to bring them to the notice of the Government. If deprived of the privilege of doing so, they would have good reason to complain. He had one or two matters to bring to the notice of the House, to which his constituents attached great importance, but petitions of more trivial nature could be dealt with by the members themselves.

Mr. MILLER said that one-half the applications received by him on these subjects were in the form of petitions to the House, but he agreed with the hon. member who had just spoken, that only subjects of superior importance should be brought to the notice of the House. The only object served in their presentation was the notification which it gave to the petitioners that their request had been attended to, and this end would be served if the petitions were allowed to lie on the table, and were afterwards returned to the gentlemen presenting them.

Hon. ATTY GEN'L disclaimed having reference to any particular petition. He did not object to the presentation of petitions, but thought the Financial Secretary's Department should not be expected to take charge of them.

Hon. Mr. MCFARLANE spoke to the same effect. He understood that some members had discouraged their constituents from petitioning, and thought that applications in reference to the road service could be dealt with by the gentlemen representing the different counties.

RECIPROCITY TREATY.

Mr. LOCKE enquired whether any action had been taken by the Government relative to the tariff which would be in operation on the expiration of the Treaty. He said that nearly all the country merchants made their importations from the 17th to the 31st of March, and if the tariff were to fall back to what it was before the

Treaty a great loss would be occasioned. He thought the country should be informed of the action proposed to be taken and that the officers at the outports should receive instructions.

Hon. ATTY. GENERAL replied that the Government had taken action, and the officers had been notified that on and after the 18th of March the tariff would be relieved from the exemptions caused by the Treaty, and that the duties would be collected on all articles included in the free list. The revenue laws were in operation until 31st March and it would be a matter for the consideration of the legislature whether parties sustaining loss in the meantime should be placed on an equal footing with those making importations subsequently.

Hon. PROV'L SECRETARY remarked that the Government had no power to suspend the revenue laws, and should have no such power.

Mr. ARCHIBALD said that if importers paid additional duties they would have the power of reimbursing themselves by exacting these charges from the customers. Although the Government had no power to suspend the revenue laws, yet new revenue bills could be introduced and passed in a single day,—at any rate the Government could declare their policy.

Hon. ATTY. GEN'L. replied that the interests of all the Colonies had to be taken into consideration, and that communication would, no doubt, be necessary with the other Provinces. It became necessary under the altered circumstances to have other trade relations established between themselves as a sort of defensive operation, and it was possible that there were productions which could be interchanged with advantage. To equalize the responsibilities and interests, therefore all should be consulted, and it would, therefore, be seen how difficult it was at the present period to settle upon the policy that should be adopted. Under these circumstances, he thought it better to allow the tariff to take its course for a few days, the duties not being high and their imposition not being likely to affect the state of trade. The chances were that the majority of importers would endeavor to effect their purchases before the 18th of the month, or would wait until the adoption of the new tariff.

Hon. PROV. SECY. asked, should not the policy of the Government be affected by the information which was being obtained? The information obtained on the previous day was different from any that had been in their possession before, and the most prudent course was to ascertain the nature of the legislation in the United States.

Mr. TOBIN, in reference to the suggestion of the Attorney General, that parties paying duties between the 18th and 31st should be reimbursed, said he thought that such a course would be attended with a great deal of difficulty. There was a warehousing system in operation, and persons importing between those dates need not pay the duties, but it would be unwise to hold out to the importers any intimation that, after payment, they would have a claim on the Legislature. He thought the duties in the tariff should be collected without any such prospect being held out. It would be very unwise to legislate on the revenue bills until information had been received from the other Colonies and from the United States, for if the bill before Congress had been correctly

reported, it gave power to the President to suspend the revenue laws of that country in reference to any of the Provinces, while enforcing them on the others, so that if Nova Scotia should deem it prudent to agree to all the terms proposed, and the other Colonies should refuse their assent, the President could bring the former provisions into operation as far as this Province was concerned. This was a very important consideration, and it would be found that the terms of that measure did not bear heavily upon Nova Scotia, but on Canada, the duty on flour being 20 per cent, and on oats, &c., ten cents,—while, with regard to fish, the duty on salmon was \$2; mackerel, herring, &c., \$1; and 50 cents per ton on coal. As far as this country was concerned, he did not therefore view the change as deeply affecting our interests, for our productive wealth was such as to command access to the markets of the world. The supply of fish, which was needed everywhere, did not keep pace with the demand, so that the value of the article had doubled within ten or eleven years. Nova Scotia did not send many free articles to the United States,—and our coal must always be an article of great consumption as long as heat was used for propelling steamers, locomotives, and other kinds of machinery. The only matter which caused him to regard with apprehension the suspension of the Treaty was the difficulty arising between the two countries in reference to the fisheries.

Mr. JOST said that there was one feature of the case to which the hon. gentleman had not alluded—the duties imposed might be small, but the revenue laws would only be suspended by the President on condition that United States fishermen enjoy the privileges granted to them when the trade were free.

Hon. ATTY. GENERAL said that important considerations would, without doubt, be suggested by the bill before the United States Legislature, and the manner in which each article would be affected by the tariff would have to be deliberated upon. He would take this opportunity of stating that he had had a conversation with a gentleman concerning the amount proposed to be levied on coal, and had been informed that the information published in the *Boston Post* from time to time, furnished by its Washington correspondent, had been found erroneous, and that the tariff had been copied by our papers from that journal, while the other Boston papers published the telegrams obtained by the Associated Press, which were more reliable. The information received from the latter source gave a different statement of the tariff from that published in the *Post*, and stated that the duty to be imposed on coal was \$1.25;—nothing very reliable could however be obtained at present, but these circumstances went to shew that the House was not now in a position to deal with the matter. All that could be done was to wait patiently for the development of affairs. It was true the President would probably have to restrain the operation of the revenue laws in reference to any Province agreeing to the terms proposed, but the right, if exercised, would be so used as to make a clean sweep applying the same rule to all.

As far as he had the opportunity of ascertaining the views of the public men of the United States, the feeling seemed to be that it

was not worth while to deal with one colony alone, for the trade with one would be so small as not to be an object for the alteration of the system; and the delegates had been told that whatever arrangements were made must apply if not to all the Provinces, at least to a large majority. The probability therefore was that the clause referred to would have no operation as regards any one colony.

Mr. LOCKE said that his intention had not been to raise a discussion upon the treaty, but to call the attention of the House to the fact that the merchants, in Shelburne and Arichat for instance, made their importations for the fishing supplies between the 20th of March and the 10th of April, and to show that the tariff would thus operate unfairly unless a drawback were allowed. There was no warehouse in Shelburne, but even if there were, the warehousing system would not apply a remedy.

Hon. ATTY. GENERAL thought that most of the importations of articles included in the free list were made after the end of March.

PETITIONS.

Mr. LONGLEY presented a petition from A. H. Harris, asking compensation for damage sustained by his vessel in coming into collision with Bear River Bridge.

Hon. Mr. MCFARLANE said he understood that after the opposition to the building of the bridge had proved futile, the petitioner had put on all sail and made an assault, and for the damage which he sustained in thus attempting to knock down the bridge, he asked compensation from this House.

Mr. ARCHIBALD said that those engaged in constructing the work had secured an indemnity by act of Parliament, but the question was whether the responsibility had not been thereby merely transferred to the Legislature.

Mr. WHITMAN said he did not rise for the purpose of opposing the claim, but to correct a statement contained in the petition to the effect that due notice of the obstruction had not been given. Notice had been given, he said, by posting of bills and in the newspapers.—Furthermore, a part of the work appeared above the water. Mr. Harris had been cautioned by the workmen to keep off,—he was coming down the river rapidly with an ebb tide, and the damage thus occurred. The hon. gentleman expressed regret at the occurrence and at the damage which had resulted.

Mr. RAY said that Hon. Mr. McFarlane's impression of the affair was very different from the facts. He believed that Mr. Harris, if he had never signed a petition in favour of the bridge, had never signed against it, and therefore it could not be supposed that the occurrence was the result of his own obstructiveness. He enquired whether there was a flag or buoy to mark the sunken pier.

Mr. WHITMAN replied that a part of the work was exposed by the tide, and the workmen were engaged on it, and cautioned Mr. Harris on his approach.

Mr. RAY thought the accident might have resulted from the confusing directions of the workmen.

Mr. JOHN CAMPBELL presented a petition for the deepening of a harbour at Beech Meadows.

Hon. Mr. MCFARLANE presented a petition from C. W. Bateman and others for additional mail accommodation.

FINANCIAL STATEMENT.

Hon. ATTORNEY GENERAL then proceeded to make the annual Financial Statement, as follows:—Mr. Speaker, I beg leave to lay on the table the Annual Trade Returns and the papers connected therewith. These Returns will show:—First, a general statement of Warrants drawn on the Receiver General by the Financial Secretary, for payment, on account of the different public services of the Province during the 12 months ended Sept. 30, 1865. A general abstract of the Customs duties, collected at the different ports of the Province. A comparative statement of the amount of Excise duties collected at the different ports of the Province. A comparative statement of the amount of Light Duty collected at the different ports of the Province. An abstract of Articles imported into, and manufactured in this Province, on which duty was collected.

I regret that the many calls upon my time have prevented me from giving that attention to the details of these returns that I would wish to give. Having been called upon to undertake this duty in consequence of the absence of the Financial Secretary, I would like to have been able to present the subject to the House as fully as its great importance demands. I have, however, considered the different items connected with our trade, and may say at the outset, that they have afforded me much satisfaction. Looking at the returns of Customs and Excise, I find that they exhibit most gratifying results. As far as I can judge, they show that the country is, commercially, in a most satisfactory state. The gentleman who addressed you last year on the same subject had much reason for congratulating the House and the country upon the results he exhibited, and I may say that the returns for 1865 show a still greater improvement in the financial and commercial condition of the province. It was believed by many persons last winter when we were arranging our tariff and providing for the different services of the country that the duties on the imports of 1865 would fall immeasurably short of those raised in 1864. I am happy, however, to say by the comparative statement I have before me it will be seen that at no previous time in the history of this Province has our trade exhibited such vitality as during the past year. The amount of Customs and Excise duty collected in 1865 was \$1,047,891.08, and in 1864, \$990,169.89, or an increase in favour of the former year of \$57,721.19. These figures, all must agree, are eminently satisfactory. It will be seen that the resources of the country are in a healthy condition, and that our people are able to buy largely in consequence of the existence of general prosperity.

Turning to the next statement I find that the amount of Light Duty collected in 1865 was \$38,944.68 whereas it was \$39,975.90 in 1864. These figures show a small decrease of \$1,031.22 in the year, and looking at the number and tonnage of vessels entered inwards and cleared outwards from the different ports of this province, it will be perhaps a subject of surprise to gentlemen that this decrease should have occurred. As far as I am able to obtain information, I believe the deficiency has been caused to a great extent by the alteration of the law in the United States for the registry of American tonnage. By a change in the measurement, they have reduced the amount of

tonnage nearly if not quite to one-third. It will be known that our light duties are collected by the ton. A great deal of the light duty, I may here add, is collected on vessels that don't enter anywhere, but pass through the Strait of Causo.

We next find a comparative statement of specific and ad valorem duties—the amount of the former being \$562,538.37, and of the latter \$485,307.71, making a total, as before stated, of \$1,047,891.08.

In addition to these returns we have the Receiver General's account for the year ending on the 30th September. These papers show that there was in his hands at the end of the financial year, \$222,932.97, which is a little less than the amount in 1864 (\$225,150.96.) We had reason to fear last year that we would have only a small amount in the treasury by the end of 1865, but notwithstanding the large provision made for the different public services we have the sum just stated.

I would also ask to lay on the table of the house the various statements connected with the trade of the Province. The short time at my command to look over these papers has given me no opportunity of analyzing them as I would wish, but at a future time, when matters connected with the Reciprocity treaty are before the House, I hope to be able to deal with the question most fully.

First we see the value of the imports and duties collected. The value of imports from Great Britain was \$6,315,988, and the amount of duty collected thereon was \$504,550.84; from B. N. A. Colonies, \$1,592,773, and \$162,001.80 duty;—from B. W. Indies, \$867,206, and \$114,711.02 duty; from the United States, \$4,325,857, and \$134,142.45 duty; from Spanish West Indies, \$1,273,247, and \$159,235.16 duty; from other countries, \$206,591, or \$75,911.65 duty. Here we find a total of \$14,381,662, and of duty \$1,040,583.73. From these figures the general state of our trade can be seen at once. The trade with Great Britain is the largest, that with United States comes next, that with the West Indies (foreign and British) is third, and that with the British North American Colonies fourth. It will be a most important and interesting subject for us to consider in what quarters our trade is most capable of expansion, in view of the repeal of the reciprocity treaty.—Our attention, it is obvious, should be turned to those countries from which we get many imports, and to which we export comparatively little.

Next we have a comparative statement of imports for the years 1864 and 1865. I have, however, turned back for four years for the purpose of seeing the progress our trade has made, and the comparison, I acknowledge, has been eminently satisfactory, for I find that there has been a gradual and large increase since 1862. In 1862, the value of our imports was \$8,445,042; in 1863, they were raised to \$10,201,392; in 1864 they increased still higher to \$12,604,642; and in 1865 they actually rose to \$14,381,662, being an increase in four years of about six millions. I have also before me a table which shows the value of imports from the different countries in 1864 and 1865, which I shall read to you. You will perceive from this statement that the trade with the United States has largely fallen off, only exhibiting an increase of 1 per cent. The position of affairs in that country, the high taxation, and

other causes arising from the war, have raised the prices of the necessaries of life, and of manufactured goods and obliged our importers to buy elsewhere. I know that very many articles hitherto imported from the United States are now brought from Great Britain. Patterns of articles manufactured in the United States have been sent to British manufacturers who have now a greater inducement to supply us. The following are the figures.

Value of Imports From

	1865.	1864.	Increase, p. cent.
Great Britain.....	6,315,988	5,407,843	9,081.45 or 17
B. N. A. Colonies.....	1,592,773	1,188,746	404,027 or 34
B. W. Indies.....	687,206	440,767	226,439 or 51
United States.....	4,325,857	43,080,16	23,841 or 1
Other countries.....	1,479,838	1,264,270	215,568 or 17
Total.....	14,381,662	12,604,642	1,777,020 or 14

I shall now turn to the abstract showing the value of Exports. To Great Britain we exported goods to the value of \$764,742; to the B. N. A. colonies \$1,701,054; to British W. Indies \$1,966,459; to the United States, \$3,619,797; to the Spanish W. Indies, \$380,894; to other countries, \$397,747;—making total value of Exports of \$8,830,693. Looking at the tables of Imports and Exports it will be seen that whilst we imported from B. W. Indies \$667,206, we exported \$1,966,459. On the other hand, we imported from the Spanish W. Indies, \$1,273,247, and only exported \$388,894. In view of this fact, it is important for us to try to see whether we cannot export to the Spanish West Indies a larger amount of produce than we do now. The next table gives a comparative statement of the articles we exported in 1864 and 1865 as follows:—

ARTICLES.	Exports.		Value 1866.	Increase.	Decrease.
	Value 1864.	Value 1865.			
Animals.....	\$283,314	\$41,566	21,776		
Beef and Pork.....	49,817	31,764	35,680		
Butter and lard.....	149,823	114,185			
Coal.....	476,314	1,255,660			
Codfish.....	1,278,582	1,411,577	447,366		
Herring and Alewives.....	315,046	652,297	159,757		
Mackerel.....	2,107,089	1,061,473	181,285		
Salmon and Trout.....	58,329	94,177	61,275		
Scale Fish.....	163,240	244,574	86,524		
Other Fish.....	28,184	64,765	1,074		
Fruit.....	46,650	58,454	4,284		
Grain.....	45,275	59,800	1,604		
Gypsum.....	41,192	74,074	13,074		
Hides and Skin.....	101,709	194,503	92,808		
Oil - viz. fish oil.....	92,097	19,389	61,965		
Store - Building.....	272,237	183,243	769,583		
Vegetables.....	85,840	763,583	879,594		
Woodsware - unmanufact'd.....	94,277	619,971	442,972		
Unenumerated.....	1,397,221	1,840,193	1,868,682		
Foreign Productions.....		\$9,870,693	196,666		
Total.....	\$7,172,917	\$8,830,693	\$1,657,876		

It will be seen that there is a decrease in the value of Animals exported, arising from the cessation of the war in the United States. A great many animals were formerly sent to Nassau and Bermuda for the use of the South, but that trade has now ceased. The decrease, however, is more than counterbalanced by the increase in the value of Beef and Pork exported. The decrease exhibited in these figures is in certain articles exported to the United States. The total increase, however, is shown to be \$1,657,876.

It will be seen that both our Imports and Exports have increased proportionately. In old times it was considered a bad sign if the value of Imports exceeded that of Exports, but now-a-days this opinion has undergone considerable modification. As respects ourselves, we know that a large amount of money has been brought into the country of which we have no account, and which enables the people to buy largely. The money derivable from our shipping interest must also be taken into consideration. Looking at these facts, and not forgetting that it is impossible to get very accurate returns of our actual exports, we have every reason to feel satisfied.

The next statements that I have to make to you are connected with that valuable branch of Provincial industry, namely, our Shipping. These figures may be briefly given as follows:

Comparative Statement of Vessels Entered Inwards for 1864 and 1865.

	Vessels.	Tons.	Men.
1864.....	6,621	853,389	45,989
1865.....	6,824	929,929	49,683
Increase.....	213	76,540	3,694

Comparative Statement of Vessels Cleared Outwards for 1864 and 1865.

	Vessels.	Tons.	Men.
1864.....	5,853	776,450	41,357
1865.....	6,315	946,322	49,932
Increase.....	462	169,872	8,576

Comparative Statement of Vessels Registered to 30th September, 1864 and 1865.

	No.	Tons.	Value.
1864.....	3,718	365,508	\$11,892,857
1865.....	3,898	403,409	11,347,509
Increase.....	180	37,906	1,964,652

Comparative Statement of New Vessels Registered in 1864 and 1865.

	No.	Tons.	Value.
1864.....	304	73,038	\$2,948,304
1865.....	294	56,768	2,481,752
Decrease.....	10	16,270	466,552

Struck off Registry.

No.	Tons.	Value.
211	31,025	\$968,406

From this statement it will be perceived that the number of vessels cleared outwards from this province, and entered inwards for 1865 show a most satisfactory increase over the previous year. The figures exhibited by the comparative statement of registered vessels are also equally gratifying. It will be seen that there is a falling off in the new vessels registered in 1865 as compared with 1864, I may mention, however, that although there may have been fewer vessels built in 1865, yet there appears to have been a large number of these kept on hand for the use of our own mercantile marine.

Inasmuch as we are now in a position very different from what we have occupied during the past eleven years, it may not be uninteresting to the House to have, in addition to the papers which I have submitted, some statements in connection with our trade with the United States. I shall therefore run over the following figures which I have had prepared for the information of the house and country:

Trade with the United States.

Value of Imports in 1865.....	\$4,325,857
do do 1864.....	4,303,016
Increase in 1865 about $\frac{1}{2}$ per cent., or	\$22,841
Value of Exports in 1865.....	\$3,619,797
do do 1864.....	2,446,770
Increase in 1865 say 43 per cent., or..	\$1,173,027
Vessels Inwards, from the United States in 1865.....	Number 3,324 Tons 463,115 Crew 23,877
do do 1864.....	3,136 442,313 21,923
Increase in 1865.....	149 20,802 1,954
Vessels Outward, to the United States, 1865.....	Number 3,161 Tons 501,113 Caew. 24,934
do do 1864.....	3824 416,441 19,953
Increase in 1865.....	337 88,742 4,981

Imports from the United States during the year 1865.

ARTICLES.	Value.	Duty Collected.
Coffee.....	\$6,473	\$1,385.86
Cordage and Canvas.....	24,996	1,213.10
Cottons and Wollens.....	102,656	7,703.60
Drugs and Patent Medicines.....	43,990	5,538.40
Earthen and Glass Wares.....	25,891	2,404.80
Leather and Leather Manufactures.....	137,609	17,890.22
Hardware.....	243,650	29,007.75
Molasses.....	10,443	1,074.65
Oil, viz: Rock and Coal Oil, and Burning Fluid.....	93,479	12,896.63
Paper Manufacture, &c.....	22,994	2,299.40
Spirits, viz: Brandy, Geneva, Whiskey, Rum and Wine.....	46,447	7,078.46
Sugar, raw and refined.....	17,262	8,717.22
Tea, black.....	65,806	12,053.68
Tobacco, manufactured.....	82,520	12,469.55
Woodware, manufactured.....	118,864	10,924.70
Unenumerated articles.....	143,217	12,961.56
Subject to Duty.....	\$1,186,160	\$184,142.55
Free under Reciprocity.....	1,747,306	
Free under Tariff.....	1,392,391	
Total.....	\$4,325,857	

Imports from the United States Free under Reciprocity Treaty.

ARTICLES.	Quantity.	Value.
Beef, Pork and Hams.....	Bbls... 10,695	\$170,282
Butter and Lard.....	Lbs... 170,501	23,051
Cheese.....	" 52,108	8,764
Flour, (wheat).....	Bbls... 286,466	1,529,819
Spirit.....		17,208
Horses and Sheep.....		182
		\$1,747,306

Imports from the United States free under Tariff.

ARTICLES.	Value.
Bread, (navy).....	6,421
Coal.....	7,731
Flour, (other than wheat).....	102,315
Fish, (all and oil).....	34,793
Grain.....	28,142
Hardware.....	17,642
Hides and Skins.....	26,628
Printed Books, &c.....	58,821
Salt.....	2,119
Stone, including Lime.....	14,754
Tobacco, Leaf.....	53,841
Vegetables.....	12,774
Woodware, manufactured.....	10,576
Unenumerated articles.....	1,924,324
	\$1,392,391

In conclusion, said Mr. Henry, I am quite confident that this House, looking at the statements that I have made, will agree with me in the conviction that the Province exhibits vitality and vigor in all branches of trade and industry that are most assuring. With such an exhibit before us, we have great reason for confidence in our future. I have no doubt that the Legislature will feel the full weight of the responsibility resting upon it, and will be prepared to give its full consideration to all those questions that must come before it in connection with our commercial relations.

Mr. ARCHIBALD said that there was no gentleman in the house who was not gratified on learning that our affairs were in a satisfactory condition. Every one must feel that the prosperity of the country depended upon circumstances apart from the control of any government. He did not propose at this time going into any analysis of the returns just presented, but there were one or two remarks which he felt called upon to make. The difference between our imports and exports was a matter deserving of serious attention. Whilst we were importing to the value of fourteen millions, we only exported produce and goods worth eight millions. Such a disparity was certainly very large, and should be accounted for. Even giving the very largest amount that could be derived from our shipping interest, there would still be four millions above the exports. Perhaps in the matter of giving returns of our exports, very many persons in this Province were not as careful as was necessary for the accuracy of the tables before the house. No one, last winter, looking at the prospect of affairs in the States during the coming year, could have expected such results as had really occurred. In that country all ordinary rules that govern trade appear to have failed; and no one was to be blamed if he made calculations based on experience and history, but which were not realized after all. That this country has passed safely through the past year and had not suffered from a crisis that any one, twelve months ago, must naturally have expected in the States, was certainly a matter for congratulation.

Hon. ATTY. GEN. said that the government last year did not consider that such a falling off in our revenue would occur as some persons anticipated, and gave their reasons very fully for entertaining this opinion. The result

had proved that their anticipations were correct, and that they had argued on premises that were sound. When he had addressed the house last session in answer to the hon. leader of the Opposition, he went fully into the subject and gave his reasons for differing from the opinions of that hon. gentleman. He had never anticipated such a fall in the price of cottons as many gentlemen did last year. For years past the price of this article had been so great, that the majority of persons had dispensed with its use as far as practicable. In fact, the country was starved out of this necessary article, and a considerable amount had to be imported under any circumstances during the past year. Neither did he expect that the quantity of cotton that would be released by the opening of Southern ports would bring down the price of the article for some time. The very fact that slavery no longer existed and the whole system of labour was disorganized, proved that that country would not for some time yet regain its former position in the growth of cotton.

Mr. TOWNSEND said that he could not agree with the hon. gentleman (Mr. Archibald) as to his remarks on the balance of trade being against this Province. That hon. gentleman had lost sight of one fact, and that was, this country had a great shipping interest. If a ship were built that cost fifteen or sixteen thousand, how much of the material that entered into its construction was imported? At least one half. The hon. gentleman had not allowed enough for the value of the shipping interest to the country. Our vessels were earning money steadily and giving the country the means of buying largely. The increase in the revenue was only what might have been expected. In 1864 every body bought short, and the country was bare of almost everything at the end of it. He did not doubt for a moment that if, in the event of the repeal of the Reciprocity Treaty, we only put on a moderate import upon a few articles that are now admitted free, the increase of 1866 will be more than in 1866. As respects the light duties, it should be remembered that when we altered the law and took off the whole duty from new vessels, it necessarily fell short.

HON. ATTORNEY GENERAL said that there was no doubt that our returns of exports were by no means as correct as it was necessary they should be in order to enable us to make accurate calculations on the subject of our trade. From many countries articles were shipped, of which no return were given; from Antigua for instance, horses and cattle were constantly shipped, of which no record was made, and the same was equally true of other places.

MR. ARCHIBALD said that he had made very full allowance for the value of our vessels, and still there was a great disparity between our exports and imports.

The papers were allowed to lie on the table. HON. PROVINCIAL SECRETARY laid on the table a copy of a despatch from Lord Monck enclosing a proclamation on the inshore fisheries.

Also, the report of the Superintendent of Education.

The House adjourned until Monday next at 3 o'clock.

MONDAY, March 5th.

The House met at 3 o'clock.

PETITIONS.

MR. COLIN CAMPBELL presented a petition from J. D. Sutherland, light-house keeper, asking an increase of salary:

Mr. RAY presented a petition from Upper Granville, for additional mail accommodation.

Also, a petition from Richfield on the same subject.

Mr. ALLISON presented a petition for aid to a half-way house in Queen's County.

Mr. BLANCHARD presented a petition relative to the harbour of Mabou in the County of Inverness.

Mr. ROBICHEAU presented a petition of the inhabitants of Digby and Annapolis Counties asking for the erection of a bridge at the entrance of Sissiboo River.

Also, a petition from C. M. Melanson and others for a special grant on the Patrick Thibadeau road.

Also, a petition of Joseph J. Raymond and others asking aid to build a bridge at Bartlett's River.

Also, a petition of Wm. White and others asking aid to remove obstructions in Salmon River.

Mr. WHITMAN presented a petition from Bridgeport asking for a post-office instead of a way-office.

Also, a petition for a way-office at Tupperville.

Mr. KAULBACK presented a petition from Sessions, Grand Jury and inhabitants of Chester asking for direct mail accommodation between Chester and Windsor.

Mr. HILL presented a petition from Windsor on the same subject.

Mr. LOCKE presented a petition from Trustees of School Section, No. 19 of Shelburne County, asking a change in the present Law and in favour of direct taxation.

This was referred to Committee on Education.

MILITIA AFFAIRS.

MR. COLIN CAMPBELL said that being desirous of bringing some facts in connection with this service to the notice of the House, he had waited patiently until the Blue Book, recently submitted, was placed in the hands of members. He now would refer to a few items distributed through the book shewing that the service was differently managed from what was generally supposed. He found for instance, that the sum of \$3795 had been given for a rifle range at Backville, an item that should have been put under the head of militia expenditure, but was not so placed in order to create the impression that that expenditure was smaller than it actually was. Another item of \$10,425 paid for swords, in accordance with the vote of last session, should also have been put under that head. He thought he would be able to show before the session was concluded, and after asking, as he had intended to ask, for the detailed statements necessary to show where the money had gone, that the department, so far from confining its expenditure to the sum of \$81,500 appropriated last year, it had spent over \$100,000. The House would agree with him in saying that the financial returns should be so arranged that they could be understood by those for whose in-

formation they were furnished, but so far from that being the case, the returns laid on the table were so mystified that he had found it almost impossible to understand them. In another place he found the item of \$3082 which was given for a lot of land in Spring Gardens; no persons outside the House would be able to understand what the appropriation was for, but he found that this lot had been sold to Mr. Brookfield for \$2000, and after that gentleman had used it for the purpose of cutting stone, the Government re-purchased it, allowing him the use of the land and paying \$1600 to get it back. Although such facts as these had to be swallowed, yet such a mode of managing the public affairs was unjust to the people, and each member should feel it his duty to make such an examination of the financial returns as would bring such circumstances to light.—He had taken this department in hand because he wished to see the service carried on justly, and did not desire to see the money appropriated by the House squandered. He said there were other parts of the Returns with which he could find fault, but there were in the House members of longer standing than he who were in duty bound to make the same investigation and to point out instances of improper expenditure. Some years ago considerable fault had been found with the late government for charging upon the treasury the travelling expenses of the Executive Councillors, and he found that one gentleman, who did not in that discussion speak very calmly, had received no less than \$400, as his travelling expenses in attending the Council;—such a thing two or three years ago was treated as entirely unlawful, and he was happy to be able now to give back to that gentleman the expressions used by him at a previous time. It would also be seen that the charge for the Adjutant General's postal communication had been \$1254.03, for the past year, \$283.06, being the amount from September, 1861, to 1st January 1863—that was a considerable item. The charge for printing last year had been found fault with, and in this and other particulars he would be able to prove to the House and to the country that the amount expended in the department had been far more than the defences of the country required. The people of Nova Scotia, after hearing of the large appropriations made from year to year, would hardly suppose that the Province did not own a single gun, a single rifle, not even a pistol, and that their only arms were a number of iron swords, very good for practice, for which \$10,425, had been paid.—Before the House rose he felt confident of being able to prove the statement already made that the expenditure for the service, instead of being limited to \$81,500, had exceeded \$100,000, and he would then ask if any one in the Province believed it right to give so much for such a small return. Halifax, it was true, obtained a fair share of the appropriation as a glance at the extensive drill shed upon which an army of men were employed would shew, but no money was expended in that way elsewhere, excepting in Cumberland. He said that the sum paid for the Militia Service during the past year was, according to his estimate, about half a million of dollars directly and indirectly; for \$100,000 had been contributed out of the public chest, and the allowance to over 56,000 men for their five days drill would make about

\$300,000. Every one, he said, knew that those who attended the drill or muster did not go for the sake of learning anything, but to avoid the fine, and when the training was over the majority knew about as much as when they went on the field, so that by the time the year went round they were just where they began.

Mr. PRYOR said he hoped the hon. member would speak for his own county only.

Mr. C. CAMPBELL continued, remarking that he was disposed to give Halifax credit for proficiency, and it was only natural that they should be proficient, having all the chances in their favor. Any one coming to the city last fall, and seeing Halifax in its pipeclay and red coats, would suppose that the country was in a state of warfare, and the impression would be amply confirmed on going to Sackville and seeing the field covered with tents and the colonels mounted on their chargers. This was all very well as a show, but when justice to the people came to be considered, it must only be viewed as a great waste of time and money. This was a subject upon which he thought no member should be backward in speaking.

Mr. BLACKWOOD said he did not rise for the purpose of addressing the House at length upon the subject under consideration, but merely with the view of saying a word upon the manner in which the drill was carried on. As for the county of Colchester, he felt bound to say that the men were very proficient, and that there was every prospect of their continuing so. It might be true that expenditure incurred in the department was lavish, but upon that subject he would not at present express an opinion. The men in his section of the country had turned out and performed their drill with a desire to attain proficiency, and that they had arrived at, to a great extent.

Hon. PROV. SECY. said that at a later period in the session, when the hon. member for Digby would have an opportunity of referring to the accounts themselves, and of analyzing the expenditure, that gentleman would be better prepared to deal with the subject, and it would be a more convenient time for the House to enter upon the discussion. The House last year had made a very large provision for the service in comparison with anything previously done, and while the expenditure in this department did not, under the existing policy, fall immediately under the jurisdiction of the Government, he had no reason to believe that its management had been such as to give less reason for satisfaction than heretofore. One thing he did know—that His Excellency the late Commander-in-Chief devoted an amount of time and attention to his duties as such officer that would surprise any member of the House who was made acquainted with it; and he believed that by the interest thus taken by the late Commander-in-Chief, which was fully shared by his successor, and under this fostering care and attention our volunteer and militia services had been put in a position that would challenge comparison with any of the British North American Colonies. The people, without whose hearty co-operation and aid nothing could be accomplished, had evinced a manly, patriotic and martial spirit, in preparing themselves for their country's defence, that gave to the movement a standing and position creditable to the Province and to the Legislature. The House having fully recognized the great importance

of the movement, and the necessity of shewing, that while enjoying the ample protection of the mother country, we were prepared to contribute from our treasury and by the time and services of our population to our defence, it was quite right that every member should jealously guard the necessary expenditure from running into anything like extravagance, and if it could be shown to the House and to the large committee of gallant colonels, on whom the responsibility of this department had been thrown, that there was anything requiring correction, there was every reason to believe it would receive the careful attention of the Commander-in-Chief and of the officers on whom the expenditure devolved. He did not think that when the papers were brought to the notice of the House, and when the Committee of Public Accounts could be called to examine them, it would be found, as the hon. member anticipated, that the grant of last year had been exceeded, but believed it would then be seen that the expenditure had been made with that due regard to economy which the House had a right to expect. In reference to the rifle range, he would state that although the purchase money had been advanced from the treasury, it had always been contemplated that that expenditure, and likewise the expenditure for the drill shed in Halifax, required to carry out the recommendations of the committee of last session in reference to the addition of an artillery arm to the service, should fall upon the annual appropriation for the department. He would also state that the attention of the Commander-in-Chief having been called to the matter, after a great deal of deliberation, His Excellency represented to the Government that it was indispensable for the efficient carrying out of the objects of the militia movement that there should be a Provincial rifle range, where all parties coming together at the annual competition could have an opportunity of not only exhibiting their skill, but of being trained in that efficient manner that the defences of the country required. The Government thereupon gave their recommendation for the purchase of a very eligible rifle range at Bedford,—and gentlemen who had taken part in the exercises at that range could bear testimony to the convenience of the locality, and its adaptation for the purposes intended. So far from there being a lavish expenditure in this instance, the amount given for the range could be realized at any moment that its disposal became desirable. With reference to the purchase of Mr. Brookfield's property, he said that it had no immediate connection with the Militia movement. The late Government, under the authority of the Legislature, disposed of certain property in Spring Gardens to that gentleman for a certain sum of money, and it was subsequently considered desirable, on both sides of the House—some difficulty having arisen in perfecting the title, in view of the rise in the value of property in Halifax, and of the requirement of a small exercising ground in connection with the drill room—that the lot should be repurchased. The fact that the Government had given a much larger sum of money than the amount of the original sale, did not establish the charge of lavish expenditure, because it was well known to every person that any description of property might be worth £1000 at one time, and rise in value to £2000 in course of a year or two.

When it was thought desirable for this property to continue in possession of the Province, it became a matter for Mr. Brookfield to state what he would accept,—for though the title had not passed to him, yet the Government were bound to perfect it, and gentlemen were sent to appraise its value. The purchase money was inside the sum reported by competent judges as being what the property would bring if put into the market, and the Government thereupon took the responsibility of advancing the amount, to secure, in connection with the drill shed, an open space for convenience in artillery and rifle training, knowing at the same time that if it were not the pleasure of the House that the property should be retained it could be put in the market immediately, with every prospect of realizing a larger sum than that given for it. In fact Mr. Brookfield had satisfied the Government that he could obtain a larger price by selling to others. In relation to the charge for travelling fees he said he did not remember being open to the charge of inconsistency that had been made. If ever in the heat of debate and in the extreme desire to find fault with gentlemen administering the public affairs he had called in question the right of executive councillors to such fees, his ground on that occasion he would admit was untenable;—good government required that the control should not be centralized, and so far from advocating the administration of affairs being practically confined to gentlemen residing in the metropolis, he believed such a policy injurious to the public interests. The hon. member who had spoken had also sufficient experience to know it to be more than the country could expect that the expenses of travel and of the delay in the capital should be borne by gentlemen themselves when so engaged on public business. If he had ever maintained a contrary doctrine he was wrong then and right now. The purchase of the iron swords referred to had been effected by the late Government, and all the present Government had to do was to discharge the liability thus existing. If they were not steel he said he hoped the day was distant when any others would be needed.

Mr. COLIN CAMPBELL said his object in addressing the house had not been merely to call attention to the particulars of the militia service, but also to show that the financial statements had been so mystified as to be unintelligible. He hoped members would speak on this subject as they felt.

Mr. ARCHIBALD said that the hon. member had suggested a subject that afforded a great field for criticism, but the time was not favorable for the discussion. There was no doubt that when the House was in the habit of making such large appropriations the necessary vigilance decreased, and if the remarks made would awaken gentlemen to the necessity of watching the government in their expenditure good service would have been done. He thought there was one expenditure undertaken by the government on their own responsibility, involving an enormous sum of money, which ought to be the subject of examination. He inquired what day would be convenient for discussing matters connected with the Pictou Railway.

Hon. PROV. SECY. replied that the following day would be convenient to the Government.

PROTECTION OF FISHERIES.

HON. PROVINCIAL SECRETARY, as chairman of the committee on this subject, reported to the House a resolution adopted by the committee to the effect that a humble address be presented to Her Majesty the Queen, soliciting aid in the protection of the fisheries on the coast of British North America, and that the Legislative Council be requested to join in such address, a conference with that body being desired by means of a committee on the general state of the Province. He would say nothing more than that the House would regard the question as one of great moment, and he thought it would be inclined to consider the course proposed as the one that should be adopted. The report was adopted.

MISCELLANEOUS.

HON. PROV. SECY. laid on the table the report of the Chief Commissioner of Railways. The report was referred to the Railway Committee.

MR. PRYOR introduced a bill to amend the act concerning the City of Halifax. The bill was read a first time and referred to committee on City Bills.

MR. SHANNON also introduced an act concerning the City of Halifax, which was likewise read and referred.

The Legislative Council, by message, informed the House that that body had agreed to the proposed conference.

HON. PROVINCIAL SECRETARY, Hon. Attorney General, and Mr. Archibald were appointed the committee of conference, and subsequently reported that they had discharged their duty, after which the Legislative Council desired a further conference.

SCHOOL LANDS.

HON. PROVINCIAL SECRETARY laid on the table the report of the commissioners appointed to examine and report on the claims of the Society for the Propagation of the Gospel to certain school lands within the Province.

MR. ARCHIBALD said that seldom had anything which had fallen on his ears caused him more surprise than this report, which sounded more like a despatch from the Bishop of Nova Scotia than the report of commissioners appointed to examine carefully into the subject. He was perfectly astonished that any commissioners, knowing that bills had been brought in last Session to dispose of the question, and that those bills had been referred to a special committee, at whose suggestion the commission had issued, should undertake to decide the whole matter without giving a hearing to gentlemen representing interests adverse to those of the claimants. The district of Horton was interested in the matter to extent of about £200 per year, and yet not the slightest intimation had been given to the member representing it that the commissioners were conducting the investigation. He (Mr. A.) represented two other districts that were deeply interested,—one of them, Truro, having appropriated the school lands from year to year to the support of their common schools,—and yet had no idea that the enquiry was being carried on. It was the first time in the history of commissions that one of them had decided upon a question after only hearing the evidence on one side, and he did not hesitate to say that the mode in which the

investigation had been conducted rendered the report entirely valueless as a settlement of an important public question. Had those gentlemen, thus appointed, called before them the representatives of persons entertaining diverse views, and after hearing both sides, had come to a decision, every one would have been disposed to treat it with respect, but such an *ex parte* statement prepared without the commissioners having had the courtesy to give an intimation to persons on the other side, must be considered as entirely valueless as so much waste paper.

HON. PROV. SECY. said that the Commissioners had been appointed on the recommendation of the committee having charge of the subject last year, and the government were only responsible as to the selections made. The report was desired for the information of the House, and this document, he said, was the only communication that had been received from the gentlemen who had been appointed.

MR. ARCHIBALD said that the investigation being of such a nature as to involve an enquiry into the claims of a body in connection with the church of England, it was a matter of surprise that one half the commissioners selected were churchmen. They were all unexceptionable persons, excepting in deciding on their own cases. He had not heard in the report a single allusion that went to shew that they had their attention turned to the statute upon which the claims of the people of this country were founded. The only Act touching the question did not recognize any intention to make the appropriation of these lands denominational, and if the Legislature had intended to hand them over to any one sect, would not that intention have appeared on the face of the statute? Yet these gentlemen had undertaken to settle the whole question without reference to that statute, and without shewing that they were aware of its existence. Could such a settlement be considered satisfactory? If the report were to be dealt with at all, it should be referred back to the committee of last year, who had collected a large amount of information, and who would be able to inform the House whether this was the mode in which they contemplated that the power conferred upon the commissioners should be used.

(Hon Mr. SHANNON presented a petition from Richard Kennedy, relating to railway damages. Referred to Committee on Railways.)

HON. MR. SHANNON, in reference to the subject under discussion, said that the committee having the subject under consideration last year was the Committee on Private Bills, which had before it three applications for the sale of school lands, and in course of the investigation the whole question came up on a memorial from his Lordship the Bishop. The committee were not unanimous, the majority being in favor of the appointment of commissioners, and the minority being disposed to adopt some of the bills. He thought the selection of the commissioners had been fair, but he did not agree that their report was to be considered as a decision. It was to be regretted that they had not before them all the information necessary to bring the entire facts before the House, but the object in their appointment was merely to give information, and he would be sorry to think that the House should be committed by any

such report. The subject was a very important and interesting one, and calculated to cause a great deal of discussion. The only result of the investigation would be to present the claims of the Society broadly and plainly to the House.

Mr. BLANCHARD was glad to hear it admitted that the report was not intended to be viewed as a decision. Whatever the intention was, the commissioners had assumed the right to decide, and had undertaken to decide, without hearing the evidence. If a commission were issued to a magistrate, a public investigation would be held, and the parties interested would be examined under oath,—and so with all other commissions; but these gentlemen had not given to the House a single fact that was unknown before, and they had obtained their information from one side only. The manner in which they presented the facts was also peculiar: at such a place they reported that a school had been held since 1807, but till when? In reference to other places, they said they were unable to decide whether the claims of the Society were good or not, and wherever there was the slightest evidence in favor of the claim, the report was framed according to that claim. To come with such a statement of facts as that contained in the report was trifling with the Legislature, and proved the truth of what he had said last year, viz., that the matter would have to be decided by the House itself after all. The committee of last session possessed all the necessary information, and the testimony shewed that the lands should be sold. The report being so entirely one-sided, he thought there would be no use in referring to it again, but thought that the bills should be revived and sent back to the committee.

Mr. S. CAMPBELL said that some gentlemen seemed to be talking without book,—it was premature to condemn the commissioners before ascertaining what their instructions were. The commission should be laid on the table.

Hon. ATTY. GEN. agreed that the commissioners had not been sent out to decide the question, but he regretted to find on looking at the report that it contained nothing very new, nothing that had not previously formed matter of discussion. In reference to one of the grants, the grant of a school lot in Antigonish, he said no information at all was conveyed, the report merely stating that the lands had been granted to the Bishop, the Provincial Secretary and the Chief Justice, without setting forth the purposes for which they had been given. Every one of those purposes should have been reported, in order that the House might judge whether the circumstances were such as to entitle the claimants to a continuance of the trust. If no good had resulted from the investigation no harm had been done, but he regretted that the information conveyed was not more full.

DOCTOR BROWN said he was not surprised at the report of the Commission, that had just been read—he was opposed to the appointment of that Commission last Session, because he did not anticipate that any good could come from it. He thought the House was the proper place to try questions involving the rights of the people, and he regretted that this question of the school lands had been removed out of the House. He hoped there was no dis-

position, nor did he believe there was, on the part of the House to adopt the report; such a course would be most unfair, and would be deeply felt by the inhabitants of Horton whom he had the honor to represent. He observed that the report declared, that Sir Rupert George had been applied to in 1828 by the Society for the Propagation of the Gospel to appoint Trustees for the School Lands in Horton; such was not the fact—and it had been proved before the Committee last session, that the application had been made by the overseers of the poor for the township, at whose instance the Trustees had been appointed. He hoped that the report referred to would have no injurious tendency, and that the whole subject would be resumed by the House and decided according to its merits.

Hon. PROV. SECRETARY said it was not his intention to move the adoption of the Report.—The commission followed in its language the report of the committee of last session, authorizing the gentlemen appointed to examine into the claims of the society and to report.

Mr. S. CAMPBELL contended that such a commission conferred no authority to call in other parties than those representing the interests of the society.

Mr. ARCHIBALD said that the object of the appointment was to put the House in possession of the facts of the case. The claims of the society were founded on the facts stated in the Report, and if the claims of the inhabitants had been also shewn, giving the period of their use of the lands, the materials for a decision would have been obtained. The commissioners had not been asked to decide who had the better claim, but to report all the facts on both sides in order that the House might deal with the subject, and instead of doing so they had made a number of statements that had already been published over and over again in the Journals, without advancing the matter one single step. The labour must after all devolve on a committee of the House, however inconvenient it might be to conduct the examination in the short time at their disposal.

Mr. PRYOR read an extract on the subject from the Journals of 1865, and said he thought that the commissioners had acted under the impression that they were required to take into consideration only the bills which had been introduced, and the memorial of His Lordship the Bishop. If a fuller power had been given no doubt they would have gone into an investigation of all the facts, but the misconception arose from the fact that the resolution passed merely authorized them to examine and report on the claims of the society.

Mr. MCLELAN said that he had been on the committee last year, and knew that a number of days had been then spent in hearing evidence, and in listening to the statements of gentlemen supporting the bills and of His Lordship the Bishop. From the information thus gathered he had been disposed to report favorably on the Onslow and Horton bills, but some gentlemen thought it better that a thorough investigation should be had, and to this view he had yielded entertaining no idea that the report would be a statement of one side of the case.

Mr. BLACKWOOD said that his views were the same as those of the last speaker. From the information before the committee he had felt disposed to grant the prayer of those pe-

tioning for the sale of the lands, but subsequently gave way to the views of those who were in favour of having the whole question closed up by the labours of commissioners.—The report, however, presented nothing like the information that the committee had acquired from hearing the statements of a number of parties, who had come from a distance and remained in town during the investigation. If the House could be put in possession of that information there would be no difficulty in arriving at a decision.

Mr. S. CAMPBELL said that the commission had evidently performed their duty in accordance with what they believed were the instructions of the report of the committee of the House.

Hon. ATTORNEY GENERAL expressed his opinion that the committee should have gone more fully into the investigation of the subject referred to them.

Mr. LONGLEY said that there appeared to have been an examination of one side only, and the House should be very careful not to do anything that would appear to be in acquiescence with the report of the commission. The question at issue was one of much interest to the people at large, and should be carefully considered.

Hon. PROVINCIAL SECRETARY said that it appeared to him the commissioners, in dealing with the subject, decided a principle in the first place—that where the Society had established a school they were entitled to the land. Having established this principle, they then enquired to what extent it could be applied to the cases before them.

Hon. Mr. MCFARLANE said that even by the showing of the report, some of these lands had lapsed, and it was a subject of important enquiry what was to be done with them. It was not stated whether any value was derived from these teachers. In the opinion of the commission the teacher might be in the district for three days only, in order to give them a title to the lands. In one of the localities referred to they did not profess to have a teacher, yet they declared that they exercised some species of control, and therefore their title would hold good. The question should be fully examined.

Mr. KAULBACK said that he had been a member of the committee last year, but, in consequence of the many matters before them, they had been unable to give that attention to the subject that its importance demanded. He thought, under all the circumstances, the question should be submitted for complete investigation to a committee outside of the House altogether.

It was decided to allow the report to lie on the table for the present.

MISCELLANEOUS.

Hon. ATTY. GENL. laid on the table correspondence relative to the appointment of Capt. Hardy, R. A., as Inspecting Field Officer.

Mr. O. J. CAMPBELL presented a petition from the inhabitants of Liverpool and Brooklyn for the continuance of the grant towards a wharf.

Hon. ATTY. GENL. laid on the table correspondence relative to Militia Accoutrements, &c.

Mr. PARKER thought we were drifting into large expense in connection with Militia matters, and spoke of the efficiency of Col. Laurie:

That gentleman had settled down in this country and had, therefore, peculiar claims upon us. He alluded also to the accoutrements sent out, and thought that they should have been of a better character. He spoke of the great necessity that existed for making the Militia officers as perfect in their drill as possible, and added, that the adjutants while in Halifax should have been learning barrack duty instead of skulking about town so much.

Mr. BLACKWOOD showed that the adjutants must be largely out of pocket for their expenses.

The report was referred to the committee on Militia.

Hon. PROV. SECRETARY laid on the table copies of despatches relative to inspection of prisons.

Hon. ATTY. GENERAL reported, in part, from the Committee on Printing and Reporting, stating that the committee had unanimously accepted a continuance of Mr. Bourinot's contract under the same terms as existed for the past two sessions. The report was adopted.

The House then adjourned till 3 o'clock next day.

TUESDAY, March 6th, 1866.

The house met at 3 o'clock.

MISCELLANEOUS.

Mr. MILLER presented a petition from the Way Office Keeper of Port Richmond, in the County of Richmond, asking an increase of salary. He said that this officer had to make up a tri-weekly mail, for which he received only the sum of \$8.

Also a petition asking an increase to the extent of \$50 to the pension of Wm. Craig, formerly letter carrier, whose claims he urged upon the government.

Mr. S. CAMPBELL presented a petition from the inhabitants of the district of St. Mary's, in the County of Guysboro, asking a change in the Education law,—referred to Committee on Education.

Also a petition from inhabitants of Sherbrooke, asking a special grant for a bridge across St. Mary's River.

Mr. BOURINOT introduced a bill to amend chapter 147 of the Revised Statutes, "Of petty offences, trespasses, and assaults." He explained that the object of the bill was to authorize the infliction of imprisonment instead of a fine for some offences. Also a bill to amend chapter 128 of the Revised Statutes "Of the Jurisdiction of Justices of the Peace in Civil Cases." This bill, he said, was designed to effect an alteration in the mode of service of summons, making service upon a member of the family of the person summoned sufficient.

Mr. MILLER said he thought that the latter bill would have a very injurious operation.

Mr. BLANCHARD said that when the statutes were being revised the house refused to make such an amendment of the law.

Mr. BOURINOT said that these bills were introduced by desire of some of his constituents. On the second reading the principal could be discussed more appropriately.

Hon. PROV. SEC. laid on the table a copy of a circular relating to Chilian and Spanish prizes.

CHAMBER OF COMMERCE.

Mr. TOBIN introduced a bill to incorporate the Nova Scotian Chamber of Commerce. He

said that a circular was received from the Board of Trade of Detroit, in March, 1865, directed to the President of the Board of Trade of Nova Scotia, but no such institution being in existence the letter was sent to the Provincial Secretary who handed it to Mr. Kinneer. That gentleman consulted his brother merchants, who, at a meeting subsequently held, adopted a resolution to organise a Chamber of Commerce, 130 members enrolling their names—adopting as the entrance fee \$5, and the annual subscription \$5. The Chamber then, he said, appointed delegates to the Detroit Convention, with the influence of which upon the legislation of the United States members were well acquainted; it being well known that Hon. Mr. Howe, when the Convention was about to close, addressed it with such great ability that although the proposition for a continuance of the treaty was exceedingly unpopular before, a resolution was passed in favour of its renewal. The bill, he said, contained a clause providing that differences arising between members of the Chamber could be referred to the Committee of Arbitration. The bill was read a first time.

PETITIONS.

Mr. WHITMAN presented a petition from the Postmaster of Wilmot asking an increase of salary.

Mr. BLANCHARD presented a petition on a subject which he said was of great importance, viz: the building of a breakwater at Margaree.

Mr. BALCAM presented a petition for the erection of a light house at Green Island in Country Harbour, and urged the matter upon the consideration of the government.

Mr. ANNAND, in reference to this petition, said that at no place was a light house more needed than at this locality. There were twelve light houses between Sambro and Cape Sable, while in the opposite direction, between Sambro and Cape Canso, the distance being equal, there were but three. The light asked for was greatly needed for the safety of the open passage, and its erection had been strongly recommended.

Hon. PROV. SEC. said he would take this opportunity of remarking that it would be very desirable, in case the prayer of the petition should be granted, to change the name of the island, for great inconvenience had been experienced in having light houses erected upon different islands of the same name, and great embarrassment had been caused to navigation.

THE PICTOU RAILWAY.

MR. MCLELAN enquired whether there were any plans of bridges or of the line of the Pictou Railway to which members could obtain access.

HON. PROV. SECRETARY promised to make enquiry on the subject.

MR. LOCKE suggested that in the absence of Mr. Killam, who took a deep interest in the discussion of matters relating to our Railways, the debate on the Pictou Railway be postponed until Thursday, the 16th inst.

HON. PROV. SECRETARY desired that gentlemen of the Opposition would consult their own convenience in appointing a day for the debate. The reason given for the postponement did not however commend itself to him, for he thought the House scarcely acted with

respect to itself in declining to proceed with the public business on the ground of the voluntary absence of the hon. member for Yarmouth.

MR. LOCKE replied that there might be required for the consideration of the question some information beside what the Government could furnish.

MR. ARCHIBALD assented to the postponement.

PETITIONS.

MR. ANNAND presented a petition from the inhabitants of Tuft's Cove in the County of Halifax, asking aid in connection with the establishment of a school. He said that the efforts of the petitioners had resulted in the raising of the sum of \$120 towards the erection of a school house, leaving the sum of \$160 still due, and they had been unable to obtain this balance by loan or otherwise.

HON. PROVINCIAL SECRETARY said there was no doubt that the subject of the petition was a very important one. A great difficulty in bringing the Education Acts into operation had been the large amount that localities had to raise to provide school accommodation. The law of last session enabling the Trustees to borrow a portion of the required funds had given a good deal of relief, but it did not apply a remedy to a case of this kind where the trustees could find no one willing to lend.

BILLS.

The house then went into Committee on Bills and passed the bill to incorporate the New York and Cape Breton Coal Company, the bill to incorporate the Collins' Coal Company, the bill to amend the Act to incorporate the International Coal and Railway Company, and acts in amendment thereof, and the bill to amend the Act incorporating the Boston and Bridgeport Coal Mining Company, with amendments, and the bill to incorporate Acadia Lodge of Freemasons, at Fugwash, with amendments. The Committee adjourned and reported.

MR. ARCHIBALD introduced a bill to amend and consolidate the laws relating to lunacy.

RECIPROCITY TREATY

HON. ATTY. GEN. laid on the table copies of correspondence and documents connected with the Reciprocity Treaty, having reference to the meeting of gentlemen representing the various Provincial governments at Quebec.

Also in connection therewith minutes and proceedings of the government of Canada, despatches relating to the mission to Washington, etc.

HON. ATTY. GEN. said: In submitting these papers to the notice of the house, I desire to give a few explanations in reference to the action taken by the government, and the reasons inducing them to entertain the request embodied in these documents made in December last asking the government to join in a delegation to Washington. It may not be generally known that in November last a deputation from the Canadian government, consisting of the Finance Minister and the Postmaster General of that country visited Washington. After arriving in that city and communicating with the British Ambassador, and ascertaining from the public authorities that though the probabilities were that the Ameri-

can government would not engage in measures for the renewal of the treaty, yet that something might be accomplished by legislation, these gentlemen returned and the results of their enquiries being made known to the Government, a Minute of Council relating to the matter was adopted. That Minute founded on the Report of the delegates sets forth the absence of probability of treaty arrangements being effected, but states that inasmuch as a remedy could not be afforded by concurrent legislation in time for the 17th of March it was supposed, that by communication with the American Congress means might be adopted by which Congress and the Government of the United States would postpone the operation of the notice of the termination of the Treaty for a year. Upon the reading of this document it will be seen therefore that the object of the mission to Washington was two-fold; first to ascertain whether an agreement could be come to, on the faith of which the Government of the United States would withdraw the notice for a year or suspend its operation for that time, and second to ascertain whether some of the subjects forming the substance of the treaty could not be arranged by mutual legislation. It was believed that though some of those subjects were fit only for treaty arrangements, some of them could be dealt with in the way mentioned, as for instance matters relating to the transit trade and the warehousing of goods. The object in asking for delay was to ascertain whether some satisfactory agreement could be come to for the present, and to ascertain whether there might be harmony of action between the Governments of the different countries. In this state of affairs the Administrator of the Government of Canada addressed to Sir W. F. Williams a despatch covering the minute of Council to which I have referred, and these documents were received by the Government of Nova Scotia in the latter part of December or the early part of January last. Entertaining the liveliest feelings in favour of some arrangements being effected and this request being made, the government felt they had but one course of action to pursue. If they declined to accede to the request of Canada and failure had resulted, they would have been fairly open to blame for not endeavouring to obtain some modification, or they might be censured for the entire abrogation of the treaty. In that position, and having little time for deliberation, and knowing that by the 3rd of January the delegates would leave Canada, the government decided to meet, by a representation consisting of one of its members, the gentlemen appointed on the part of Canada, having first ascertained that it was the intention of New Brunswick also to send a representative for the same purpose. That course having been agreed on, my colleague and friend the leader of the government was requested to take on himself the duty of the mission; but unfortunately he was prevented by illness from acquiescing, and I, having been requested to take his place, had the honor of performing these services. I immediately took my departure, met the other delegates in New York, and after remaining there for a short time in consultation, we arrived in Washington about the 15th of the month, and immediately

consulted with the British Ambassador.—After paying our respects to that officer, we entered into a very long and satisfactory conversation on the whole subject, and learned from him that in the present state of affairs it would be utterly useless to attempt to ask a renewal of the treaty; we suggested, however, that it might be possible to obtain a suspension of the operation of the notice, and with his concurrence we called upon the Secretary of the Treasury of the United States, who seemed to adopt favorable views to the continuance of negotiations. The gentleman suggested that the best means of obtaining the terms we desired would be to put ourselves into communication with the Committee of Ways and Means. We were introduced to that committee, detailed the objects we had in view, and debated with them all the subjects embraced in the treaty. We soon ascertained that they were opposed to its continuance; they alleged that in some respects it was opposed to the policy of their country and its engagements, and that it affected treaties which had been entered into with other countries, by which those countries had a right to be admitted upon the like favourable terms. We were prepared to meet that difficulty; and inasmuch as the articles in the free list were not such as came from any of these countries, we suggested that that obstacle could be overcome by including in special or general terms the countries with which those treaties existed. The constitutionality of the question and of this mode of dealing with it as being a usurpation of the powers of Congress, was also debated. The committee said that the continuance of the treaty hampered their action when dealing with the internal taxation, because a cry was raised by their own producers, who were taxed on their capital and on their productions, while our articles were imported duty free. These objections were not without some force, and in debating them we suggested means whereby the producers would be on an equitable footing, and reminded them that if Congress passed, and the government ratified the treaty, no power could call its authority in question. These difficulties appeared to be thus overcome, but we felt that there were deep objections on the minds of the committee to the continuance, and that it was useless to debate matters further. In view of the great interests at stake, and knowing that the trade relations of thirty millions of people were involved, we felt we would not be doing our duty if we left any stone unturned by which the committee could be brought to view favorably propositions for reciprocal free trade. We debated the matter for two or three days, and after obtaining a favourable hearing we were in expectation of receiving propositions as we could fairly consider, but I must say all of us felt very much grieved and disappointed on receiving the document which has been published. Having arrived at that stage of the proceedings, we felt we would not be consulting the true interests of those whom we represented were we to entertain the proposals, and we therefore, after declining to take them into consideration, broke up the negotiations. We subsequently had another interview with the Secretary of the Treasury, and upon explaining to him the differences that had

arisen, he recommended that we should remain for a few days in Washington in hopes that something might be done. We told him in reply that we feared such a course would be of no service, that the Committee, seeming to have come to a settled determination, our further presence would be objectionable, and we believed we would not only be consulting our own feelings, but the interests of all parties, by leaving the remainder of the matter in their hands. Having made these explanations, I beg to bring these documents to the notice of the House.

CATTLE DISEASE.

MR. HILL enquired of the government whether any steps had been taken for the prevention of the cattle disease. He thought the importance of this subject could not be over-rated. The papers arriving from the old country were filled with the discussion of the subject, and, looking at the number of cattle owned in the Province, being over 262,000 and the great rate of mortality where the disease prevailed, that rate being about 10,000 per week, the necessity of taking some steps would be perceived.

HON. PROV. SECRETARY replied that the subject was under the consideration of the Government, and that it was their intention to introduce a bill relating to it.

MR. ARCHIBALD remarked that there being scarcely any importations of live cattle or of hides into the country, the danger did not seem imminent; but he thought it would be well, nevertheless, to arm the Government with the powers necessary to deal with any emergency.

MR. HILL said that some such step was necessary in view of the fact that the disease might be imported from the United States.

HON. ATTY. GENERAL said that in the early part of the session of the United States Congress an act was passed prohibiting the importation of cattle from any country, and the measure having the effect of interrupting a portion of the trade with countries where the disease did not exist, the matter was brought to the notice of the American Government and thereupon the law was so modified as to vest the power of making the necessary regulations in the Government. While the delegates were in Washington, it having come to the notice of the authorities that hides were being imported, these articles were put in quarantine, and it was made compulsory that even the cows carried in the steamers should be slaughtered on their arrival. Possibly it would only be necessary to put animals imported in quarantine until the disease would have time to manifest itself, but in the States it did not appear to be known whether the ten or twelve days passage across the Atlantic was a sufficient lapse of time to prove the existence of the disease or not.

MR. ARCHIBALD, after referring to the various modes by which the disease was introduced, expressed himself in favour of arming the government with almost arbitrary power to deal with any difficulty that might arise.

HON. MR. MCFARLANE said that the closer the investigation was that had been given to the subject, the less able were scientific men to form an opinion on the disease. It appeared incurable, and the expedients adopted were so extreme as not only to require that the infected animal should be killed, but also the whole herd with which it had associated.

MR. ARCHIBALD said that owing to the prompt and vigorous measures taken in France the disease appeared to have been crushed out in that country, while the effort had failed in England, notwithstanding the sacrifices that had been made.

MR. DONALD FRASER said he was very glad that the subject had been brought to the notice of the house;—there was no species of property upon which the people of this country set so high a value as their stock, and the introduction of the disease would be a great calamity. He observed that the government of the United States and Canada had adopted all the safeguards in their power, and if the legislature here could adopt any measures to the same end, it was exceedingly desirable that it should do so. He hoped some steps would be promptly taken.

MR. TOBIN said he was not aware of there being any importation of cattle to this country except for the improvement of stock, and the importation of hides and horns was also very small. It appeared from the reports touching the matter in England that the disease had baffled all the skill that had been brought to bear on it. It was an extraordinary fact that no number of persons engaged in the investigation had agreed as to the manner of its introduction into England; and he saw another singular fact stated, namely, that the fox-hounds engaged in hunting had been the means of carrying the infection into counties. The indiscriminate slaughter of the cattle, he observed, was very much condemned. He was no alarmist, and did not think there was any immediate danger of the introduction of the disease into this Province, but he thought it would be well to give the government power to prevent importation of cattle or horses from any country where the pest should make its appearance.

MISCELLANEOUS.

HON. PROV. SEC. laid on the table the report of the Board of Works. Referred to committee on Public Accounts.

Also a letter addressed to the government by the Secretary of the Board of School Commissioners for the city of Halifax in relation to the Halifax Grammar School.

MR. ANNAND presented a petition from Jeddore asking such an alteration of the Education Act as to substitute assessment for voluntary subscription.

Also, a petition from Waverly in relation to a poll tax.

Also, a petition from Waverly asking the substitution of a Post Office for the Way Office. He remarked that 15,000 letters had passed through this office during the past year.

HON. MR. SHANNON presented a petition from St. Margaret's Bay on the subject of education, asking the substitution of assessment for voluntary subscription.

MR. S. CAMPBELL presented a petition from Port Mulgrave for the alteration of a mail route.

Also, a petition from the Postmaster of Cape Oanso for an increase of salary.

COAL MINING LEASES.

HON. ATTY. GENERAL said he wished to present a petition from Colonel Sinclair, in relation to a subject of great importance. The petition, he said, detailed several circumstances which would bring to the notice of the

House the fact that there was a provision in all the coal-mining leases for their termination in the year 1880, and the injurious operation of this provision in preventing the investment of British capital in our mines. The petitioner had been engaged in mining operations near Sydney, Cape Breton, and had made arrangements for obtaining the necessary capital in England; all the preliminaries had been settled, but when the matter was referred to solicitors for their investigation, they reported that the time was so short that they could not advise the investment. It would be for the House to view these circumstances and to consider their bearing upon the development of our mining resources, and if the time were so short that British capital could not be employed, it would be for the House to consider whether it would be politic to extend the period of these leases. It was a question upon which his own mind was not entirely made up and was one that should receive careful consideration, as it affected to a very large extent the future interests of the country.

Mr. ARCHIBALD said that the matter was one of very great consequence. The first difficulty to be encountered would be the fact that there could be no extension of the leases without an extension of those held by the General Mining Association.

Hon. PROV. SEC. said it would be very satisfactory to have an expression of opinion on the question from members generally, with a view to elicit which he suggested that the petition lie on the table for the present, and that a discussion might be brought on when the motion to refer it was made. It was a subject of immense magnitude, and it was clearly the policy of the legislature to do all in its power to aid in the development of the country's resources. He confessed that when the correspondence was first submitted to his notice his feelings had been against the application, but on a careful review he had come to feel that it should receive a careful consideration from the house. The legislature had had the satisfaction of seeing much labour and skill introduced into the mining enterprises, but he did not need to remind the house that the great proportion of that capital and skill was American. However satisfactory this might be, and he was delighted to see this enterprise, he would much rather see an infusion of British capital, and if it were found that the existing legislation on the subject tended to check it, the question would arise whether it would not be prudent to make an extension of the period. It was well known that in England nothing was talked of but a ninety-nine years lease, and therefore when negotiations came to be opened with capitalists for an investment in a twenty years lease, two or three years of which would be required to organize and make the preliminary arrangements, leaving but fourteen or fifteen years to run, it was natural they should shrink back. He was quite satisfied that there was no necessity for any such hesitation—that with the law as it was, capitalists would be quite safe in investing in mining operations, for he was confident that whatever party might occupy the seats of the government, the most equitable view would be taken of the position of those who had embarked their resources in these enterprises.

Mr. ARCHIBALD said, in reference to the introduction of British capital, it appeared to him that that was not the source from which investments might be expected to develop our resources; there were encumbrances about their machinery that were inconsistent with the nature of the undertaking. The best interests of our mining trade, he thought, were concerned in American capital, and speculators in the United States had this advantage—that their country afforded a market for coal they raised. It was well known that since our mines had been obtained for the possession of the General Mining Association very rapid strides had been made. The time, however, he said was advancing, the period of the leases was growing shorter, and if capitalists now were indisposed to invest, how great would be the difficulty in a few years hence. It was therefore becoming necessary to review the policy of the country, though that policy should not be altered without a careful consideration of the results likely to follow. He suggested that instead of discussing the question in the manner proposed, the house go into committee of the whole on the present state of the Province, as such a course would be more dignified.

HON. ATTY. GENERAL said his first impression was that as there were no details there was very little for a committee of the whole to do, but he acquiesced in the proposition and promised to bring forward a resolution on the following day upon the moving of which the House could go into Committee.

Mr. TOBIN said that the results of Col. Sinclair's endeavors to obtain the co-operation of British capitalists did not surprise him. When the sum to be invested and the works to be undertaken—the railroads, shafts, and tramroads—were taken into consideration, the answer given would be seen to be only what might have been expected when the unexpired period of the leases were so short. Although it was believed here that there would be very little opposition to their renewal, yet persons abroad were not able to judge of the probabilities, and would not be disposed to engage in the enterprise without some further guarantee than they possessed. It was therefore necessary to deal with the question in a liberal spirit—capital might be advantageously obtained in England, he thought, for mining undertakings, but England was not our market, and the United States must be looked to for the consumption.

Hon. PROV. SEC. remarked that it was easy to impress upon American visitors the fact that there would be no difficulty in obtaining a renewal of the leases, but it was not so easy to impress that fact upon others.

The house then adjourned until next day.

WEDNESDAY, March 7, 1866.

PETITIONS.

Mr. BOURINOT presented a petition from the inhabitants of Louisbourg praying for additional mail communication.

Also—a petition from the merchants and others of Cow Bay Mines for increase of the salary of the Postmaster, and for the extension of the Money Order system to the Post Office there.

Also—a petition from the merchants and

others, engaged in mining at Bridgeport Mines, for the establishment of a Way Office.

Also—A petition from James Lamey, praying for redress in consequence of a tract of land having been granted to another, to which the petitioner had the best and most rightful claim.

MILITIA AFFAIRS.

Mr. PARKER said he wished to call the notice of the House and of the Reporter especially to the remarks made by him in reference to this service. He said he had been represented as saying that "the Adjutants should have been learning barrack duty instead of skulking about town so much?" He had intended to express the opinion that these officers should have been learning this duty, while receiving the ordinary instructions, believing both branches of duty necessary to make a soldier, and we had also alluded to tent duty when the season permitted. He did not wish however, to be understood as saying that the young men so engaged neglected their duty—he believed they were as attentive as could be desired.

Hon. PROV. SEC. said he was glad that this explanation had been given, because he had understood the hon. gentleman to use precisely the language reported, although he thought he had not meant to convey the impression that had been created. The fact that nothing of the kind had been intended would now go to the country, and justice would be done to those to whom the allusion was made. In reference to the Reporting, he was satisfied that the feeling all round was that every effort was made by the Reporters to take down as correctly as possible the substance of what was said. There was sometimes very great difficulty in hearing what was said, especially by gentlemen at the further portions of the House;—some members spoke in so low a tone that he was frequently surprised at the Reporters being able to ascertain the substance of their address. The volume of debates for the two last Sessions and the amount of matter reported and published very far exceeded the contract made by the Reporter, to whom in justice he felt bound to make these remarks.

PETITIONS.

Mr. LOCKE presented a petition from James McKay, Way Office Keeper, for increase of salary.

Also—a petition from Shelburne relative to certain claims to school lands.

Mr. TOWNSEND presented a petition from merchants and shipowners of Yarmouth for a fog whistle. He said that the fog bell now in use was not heard at a distance and much inconvenience had been experienced.

Also—A petition from trustees of a school in Yarmouth asking a return of duties paid on school furniture.

Also—A petition from lumberers and others asking an extra grant in aid of a bridge in the county.

Also—A petition for an increase of the salary of the Postmaster of Yarmouth.

The hon gentleman strongly urged these petitions upon the favorable consideration of the Government.

Mr. HEFFERNAN presented a petition from inhabitants of St. Mary's for a grant to a bridge across West River.

Mr. GOWIE presented a petition from inhabitants of Milton asking aid for a bridge.

Mr. JAS. FRASER presented a petition for a Way Office near New Glasgow, in the County of Pictou.

Mr. HEBB presented a petition from Andrew and others for additional mail accommodation in Lunenburg County.

Also—A petition for the appointment of LaHave as a port of entry.

Mr. JOST, in reference to the latter petition, said that vessels were at present obliged to go twelve or fourteen miles beyond their destination for the purpose of entering, and the result was that a great deal of smuggling ensued. He hoped that the petition would be favorably considered. Referred to Committee on Trade and Manufactures.

Mr. ALLISON presented a petition from Green Field for aid to build a bridge.

Also, a petition for such amendment of the chapter of the Revised Statutes relating to Fires and Firewardens as would give the Sessions the power to assess for the value of buildings pulled down to prevent the spread of a conflagration. Mr. Allison obtained leave to bring in a Bill in accordance with the prayer of this petition.

PILOTAGE.

Mr. DONALD FRASER presented a petition from merchants, shipowners, and others of Pictou and New Glasgow on the subject of the laws relating to pilots. He said that last year he presented a similar petition and that the present one was signed by 100 persons, 50 of whom were shipowners, and including the directors of three Insurance Companies. He referred to the recent loss of a vessel at the port of Pictou as illustrating the injudicious effect of the present law in lessening the efficiency of pilots.

Mr. MILLER said that this subject had been before the House for years, and action had been taken on it by the Legislature during the two past sessions. In 1864, he said, the existing law was passed by an overwhelming majority, and in 1865 it was retained by a vote of 33 to 12, notwithstanding that the Financial Secretary had urged with his usual ability every argument that could be advanced. Why should the interests of forty or fifty shipowners control the action of the Legislature, while more than a thousand of signatures could be obtained to a contrary petition throughout the country? There were 300 or 400 shipowners opposed to the alteration in his county alone. He thought it wrong that the time of the House should be occupied with such a petition. The case stated by the hon member on introducing it proved nothing unless it could be said that no vessels under the old system had been wrecked at the port of Pictou.

Mr. ARCHIBALD said that he had been well acquainted with the circumstances of the case stated, and they led him to the belief that if the law were retained, the port of Pictou would come to be regarded as the most dangerous in the Province. Practically, the law was only applicable to that port, but he was aware that the ground on which the change was opposed was extremely plausible,—the inhabitants of Cape Breton felt that they were either precluded from navigating their own vessels in entering the harbour or else were obliged to pay for a service they did not wish performed, but the fact was that pilots, by the present system, did not receive the encouragement necessary to

maintain their proficiency, and after making exertions and going out to vessels entering, their services might be declined, and their trouble would be in vain, for though vessels not desiring a pilot were required to display a flag at five miles distance, yet that signal could not very well be discerned in case of a storm. His own judgment had gone a long way with the hon member for Richmond last year, but his views were changed to a great extent by facts which had come to his knowledge since.

Mr. DONALD FRASER, in reply to Mr Miller, said he had been informed by an old pilot that there had been no instance known of a vessel being lost while in charge of a pilot in entering or leaving the port of Pictou. There was a great difference between Pictou and other harbours, because at that place the pilots were obliged to keep up superior and more expensive kinds of boats.

Hon. PROV. SEC. said that the existing regulations seemed to place Pictou in a different position from other ports. The question, whether the effect of such legislation was to interfere with the security of property, was a very serious one. So hard was the operation of the present law that many of the pilots had sold their boats and engaged in piloting vessels to and from the Strait of Canso, leaving the duties to be discharged in a manner not so efficient as the shipping interest required. If these were the facts, some steps should be taken either by alteration or repeal of the existing regulations.

Mr. MILLER denied the accuracy of the statement that existing legislation placed the port of Pictou in different circumstances from those of any other port. If the proposed alteration were merely to the effect that the pilotage should be raised, that might be a matter worthy of consideration.

Mr D FRASER obtained leave to bring in a Bill, in accordance with the prayer of the petition.

PETITIONS.

Mr HILL presented a petition from the Post Master of Hantsport asking for an increase of salary.

Mr S McDONNELL presented a petition for the Post Master of Mabou asking for an increase of salary.

Also, a petition for the establishment of a Money Order Office at Mabou.

Also, a petition with 435 signatures on the subject of Confederation.

CONFEDERATION.

Mr. ANNAND wished to ask a question of the government in connection with the subject before the House. He had seen a paragraph in the organ of the government, the *Colonist*, which he thought required an explanation.—The paragraph alluded to a certain meeting recently held at Cornwall, known to be represented by John Sandfield Macdonald, a late Premier of Canada; without further preface, he would read the following curious statement from the paper referred to:—

“FROM CANADA.—*Cornwall, Canada, March 2.*—At a public demonstration and dinner to the members of the Government last night, speeches were made by Galt, Howland, Macdonald and Cartier. Macdonald asserted that the Confederation of the Provinces was now certain to take place in a few weeks.”

He would attach very little importance to this declaration if it did not come from a source like that of the Attorney General West of Canada, and had not been republished by the organ of the government of Nova Scotia. It was a matter of very serious import to the people of this province when they learned from such authority that their rights and privileges were to be swept away without their being consulted. It was time, he thought, to ask the government whether they had any information on the subject which might give the House and country to understand what was meant by the significant remarks of the Canadian statesman. He would also like to know whether the government were prepared to state if Confederation was to take place without consulting the House or without being referred to the people of this country.

Hon PROV SEC'y said that now he had no difficulty in believing that there was no precedent—no ordinary rules that could be expected to measure the scope of the ingenuity of the hon gentleman who had just addressed the House. He thought it rather a curious course for him to ask for an explanation of speeches made at a public dinner in another province.—The hon gentleman must certainly be attempting a joke at the expense of the administration when he propounded such a question, and asked them to give an explicit answer. He (Dr T) could certainly say that he had no information that enabled him to state upon what data Mr Macdonald made such statements as those referred to. He had certainly read these statements with just as much surprise as had the hon member himself. As respects the position of the question of Confederation, it was almost unnecessary to say much to the House. As every gentleman was aware, it had not at any time been brought forward as a Government measure. Inasmuch as the Government had obtained the services and co-operation of leading gentlemen of the Opposition, they could not bring forward the subject in a party aspect. Gentlemen who had held responsible positions in connection with the party opposed to that now in power were invited to give their assistance to the Government in relation to this great question. It was therefore impossible to present the question except as one in which both members of the Government and gentlemen connected with the Opposition took a deep interest. In that condition the question had been brought down to the House to be considered and dealt with in such a manner as it should direct. Before the question was brought up during the session of 1863, circumstances transpired in the neighboring Province which gave a new aspect to matters.

The Lieutenant Governor of New Brunswick, in the exercise of his judgment, dissolved the Legislature, and the result was that an overwhelming number of the gentlemen who were returned declared themselves hostile to the proposed scheme of Union arranged at Quebec. That having taken place, the House would at once see that the Government of this Province and the gentlemen interested in the question found themselves placed in an entirely altered position. He had no hesitation in saying that whilst he believed that the scheme of Union as devised at Quebec was of vast and vital importance to British North America—and to no portion of it more than to Nova Scotia—yet, under

existing circumstances, he considered that the question was in that condition that it could not be dealt with practically. It was obvious that whilst New Brunswick assumed such an attitude, Nova Scotia, however favorable to Union, could not stir in the matter. When the Legislature was called together on the present occasion, the circumstances that existed last year still continued, and it would be altogether futile for Nova Scotia to move at present. Should the time come when the question could be taken up, not as a hypothetical measure, but in a definite, practical shape, it would be quite time enough for the Government to declare their policy. He had never shrunk from expressing his opinions fully and explicitly whenever this great question had come up. He could not understand the position of the hon. member for East Halifax, who declared himself opposed to the scheme of Union, and yet at the same time exhibited such a strong anxiety to bring the question to the notice of the House. He could only hope that the hon. gentleman—and he argued from his views as propounded elsewhere—had seen the error of his ways, and was now anxious to make all the atonement he could. He believed, indeed, that that hon. gentleman had elsewhere gone so far as to charge the Government with a dereliction of duty, because they had not pressed the question on the consideration of the Legislature.

Mr. S. CAMPBELL said that the hon. Provincial Secretary had not given that answer to the questions put to him that was expected of him. That hon. gentleman had exercised some ingenuity in asserting that the statement in question was an after-dinner speech, and that therefore there was no reliance to be placed upon it.

Hon. PROVINCIAL SECRETARY said that he would be very sorry to charge the members of any Administration with making statements in which no reliance could be placed.

Mr. S. CAMPBELL went on to say that the Provincial Secretary had certainly said that it was an after-dinner speech; but did not everybody know that the *British Colonist*, the organ of the Government, had republished the statement. But not only did the Canadian statesman in question make the speech, but there was a number of other prominent public men of Canada present who apparently endorsed the statement. The old adage said, *In vino veritas*; and we might therefore fairly assume that the gentleman who spoke under such influences spoke the truth. On the other hand, it might be considered a legitimate argument against union with Canada if we were told that its public men were persons of such a character that no reliance could be placed on their statements. He could not understand the argument of the Provincial Secretary in respect to New Brunswick. What had that Province to do with Nova Scotia? We were able to attend to our own affairs, independent of the action of any other Colony. He would not dwell further on the subject at present, except to say that the Provincial Secretary had not given an answer to the question put to him by the hon. member for East Halifax, namely—Whether it was the intention of the Government to force the measure upon the House and country, without an appeal to the people? Until that question was answered, the House must believe that there was something in the significant

statement made by the Hon. John A. Macdonald.

Hon. PROV. SECRETARY said that he was glad that the hon. member for Guysboro had called his attention to a question which he had forgotten to answer. He would without hesitation say that the Government would not be a party to any action outside of the Legislature that would interfere with the constitution of the country.

Mr. ANNAND said that the Provincial Secretary had sat down without answering the question put to him—whether any attempt would be made to obtain Confederation without an appeal to the people. On that important point the hon. gentleman had been entirely silent, and the House and country would undoubtedly understand his reasons. The hon. gentleman had said that the question of Union was an open one, and the enquiry naturally suggested itself, were the members of the Administration united on the measure or not. Looking at some of the gentlemen whose opinions he (Mr. A.) knew pretty well, he believed that they were not unanimous. On the other hand, looking at the records to be found in the Assembly, he would be inclined to say that they were unanimous. He would now ask the Provincial Secretary to explain the fact, that he had not carried out the pledge he had made to his colleagues at Quebec—that he would submit this question to the House and country. The spirited gentleman, who was recently Premier of New Brunswick, put the question to the people of that Province, and redeemed his pledge. The question had been submitted for consideration in P. E. Island, and in Newfoundland.—The Gov. of the latter Province had shown he was bound to submit the question irrespective of his advisers. How was it that the Government of Nova Scotia occupied a position so very different? He thought that the Provincial Secretary was shirking the question when he should deal with it manfully—be prepared to stand or fall upon it.

Hon. ATTORNEY GENERAL replied that when he had read the statement in question, he considered that the government of this country had very little responsibility in connection with Confederation. In view, however, of all that the hon. member for East Halifax had expressed elsewhere in respect to Hon. J. A. Macdonald, it was very remarkable that he should now be prepared to attach the slightest credence to anything that hon. gentleman had said.

He (Mr. H.) could certainly say that he was not informed whether the expressions referred to were actually made, or if made, what foundation they had. He had not the slightest idea what the object was in making these statements which appeared to startle some gentlemen so exceedingly. It might be supposed with much reason that the Attorney General West had heard a good deal about reported changes of public sentiment in New Brunswick, and believed that the Provinces were nearer to Confederation than they had been for the past year. Mr. Macdonald might think that the Legislature of Nova Scotia, when it found that the neighboring Province was ready to accept union, would consider whether it should not take up the question, and deal with it practically. He (Mr. H.) was, however, entirely like a man groping in the dark when he

attempted any explanations for statements of which he knew really nothing whatever personally. It was difficult to understand how the hon. member for Guysboro' could show the House that this Province might stir in the matter of union independent of the action of New Brunswick. A glance at the map, and the respective geographical positions of the Provinces of British North America, would be a sufficient answer to any reasonable man. If New Brunswick erected a barrier between Nova Scotia and Canada, we had to wait until she decided to take it down. It was somewhat amusing to hear the member for East Halifax complain that the delegates had not carried out the pledges made at Quebec. If any pledges had been violated the hon. member surely was not the proper party to complain. That hon. gentleman's policy should be to say nothing as long as he saw the Government were not moving in respect to a measure to which he professed so much hostility. No doubt the gentlemen to whom such pledges were stated to have been made perfectly understood the position of this Province—that as long as New Brunswick opposed the scheme, it was impracticable. The question was not a Government one, and with what fairness then were they asked to decide upon a policy in the formation of which other gentlemen were entitled to a voice? The question of union was one concerning the whole people of Nova Scotia, and could not be treated in a party aspect.—Political parties were divided on the subject; members of the government were sustained by influential gentlemen of the opposition; and it was therefore impossible to treat it except as an open question. It was quite time to say whether the question should be submitted to the people or not, when it could come up in a practical shape. That was an important constitutional question that should be decided within the walls of the legislature, and the government would be going beyond their functions if they interfered with its decision. The government had no policy on the subject, and could not come to any decision upon it until the necessity for action arose.

Mr. McLELAN said that no doubt the Provincial Secretary and the Attorney General had sufficient reason for surprise that the hon. member for East Halifax should base an enquiry upon anything that Canadian statesmen might say. Perhaps these two gentlemen had had an opportunity of understanding the character and habits of some of the public men of Canada, and were perfectly well aware what faith was to be put in their after-dinner speeches. But persons who had not this intimate acquaintance with the peculiarities of Canadian gentlemen, naturally felt a great deal of astonishment on reading such announcements as that in question. When such statements were published in an organ of the men in power it was high time for those who valued the rights and liberties of the people to make a move; and he was therefore glad that the hon. member for East Halifax had made the enquiry he had. No doubt it would be satisfactory to learn that the members of the government were ignorant of any such arrangement as that intimated by Mr. John A. Macdonald.

PETITIONS.

Mr C J CAMPBELL presented the following petitions:

One from Bedque, asking for a change in a

mail route from Plaister Cove to that town.

One from J S McNeil, of Grand Narrows, asking for an increase of salary as ferryman at that place.

One from a number of inhabitants of Bedeque, asking for a special grant for a new line of road from Bedeque River to that town.

One from D Morrison and other inhabitants of St. Ann's, asking for a new line of road.

One from M McLean, ferryman, asking for an increase of salary.

One asking for a grant of money for a road to Gillis's Point.

One from 76 inhabitants of Cape North, complaining of an act passed by the House in 1852 in respect to church property.

One from inhabitants of Washabuck, for aid towards a road.

Mr. S. MACDONNELL presented two petitions (similar to that presented by Mr Campbell from Cape North) from River Dennis and from Whycomagh.

(A bill on the subject of these petitions has been introduced.)

Hon. Mr. SHANNON presented a petition, and introduced a bill, in reference to the Union and Axe Fire Companies of Halifax; also, the petition of J. S. Thompson Superintendent of Money Order Office, Halifax, for an increase of salary.

Mr. S. MACDONNELL introduced an act to incorporate the Strait of Canso Marine Railway Company.

Mr. PRYOR introduced a bill to incorporate the Merigomish Coal Mining Company; also presented a petition from J. Kirby and ninety others, praying for the substitution of assessment instead of voluntary subscription for the support of schools.

Mr. MCKAY presented a petition from 300 persons of West Pictou, asking that the Government depute an engineer to lay off a certain line of road.

Mr. LONGLEY presented a petition from the inhabitants of Annapolis, living in the vicinity of Paradise, asking the Legislature to empower the sessions to lay off a certain space of land for the purpose of a public landing. He urged the claims of the petitions to favorable consideration.

Mr. BALCAM presented a petition from Ecum Secum River, between Guysboro' and East Halifax, in reference to a line of road.

HOSPITAL FOR INSANE.

Hon. PROV. SECY. laid on the table the annual report of the Medical Superintendent of the Hospital for the Insane. He stated that the number of admissions has been forty-six, or the same as in the previous year. The applications have been far beyond the power to receive. Fifty were discharged, of whom no less than fifty-eight were restored. The centre building and north wing are under contract, and the work is being vigorously forwarded. Accommodation will be given for ninety additional patients. The necessity for enlargement was universally acknowledged. A new coal shed (much required) has been built near the boiler house; the grounds have been improved, and additional land brought under cultivation. An important drain has been constructed into the harbor, and a new road made. The contract price of beef, flour, &c., has been higher than usual, causing an advance in the cost of maintenance; the present average for provi-

sions is \$55.04 per annum per patient. The expense for attendance, however, is lower than last year. Taking both items together, the excess over 1864 is at the rate for each inmate of \$7.10 per annum. The report contains, for the first time, tables recommended by the Colonial Secretary for all colonial asylums. The statistics compare favorably with the best of these institutions.

DELEGATION TO WEST INDIES, ETC.

HON. PROV. SEC. laid on the table a copy of correspondence relative to foreign trade, and in doing so, stated that his colleague and himself, when in England, had called the attention of the Colonial Minister to the importance of no measures being taken in reference to questions of colonial trade, unless the Provinces were consulted. The subject received the favourable consideration of the Imperial Government, and a despatch was sent out, in the first instance, to Sir Frederick Bruce, directing him to give every opportunity to the Provinces to express their views in connection with the Reciprocity Treaty. In order to place the governments of the Provinces in a still better position, the Imperial Government decided to authorise the Governor General to call together a Confederate Council on commercial matters relative to the Colonies.—Whatever difference of opinion might exist in respect to a political Union of British North America, no one could deny that it was of undoubted advantage to the Provinces that they should be able to deal efficiently with all matters affecting their trade. Accordingly the Governor General called a council at Quebec, which took up and considered the most advisable course to pursue in reference to the probable abrogation of the Reciprocity Treaty.—Among other things they resolved:—

“That in the opinion of this Council, it would be highly desirable that application be made to Her Majesty's Imperial Government, requesting that steps be taken to enable the British North American Provinces to open communications with the West India Islands, with Spain and her Colonies, and with Brazil and Mexico, for the purpose of ascertaining in what manner the traffic of the Provinces with these countries could be extended, and placed on a more advantageous footing.”

The Imperial Government entertained the proposal in the most favourable manner, and authorised the appointment of colonial delegates—not for the purpose of making treaties, for that would be impossible, but to visit the countries in question, and see whether any arrangement might not be made for the extension of colonial trade. A reference to the statistics would show that a very large portion of the trade between this Province and the United States had been a transit trade—that the articles exported to the United States had been to a large extent transferred to the countries referred to. It was naturally supposed that if a trade could be got up directly with these countries a great boon would be conferred on the Province in case of the abrogation of the Reciprocity Treaty. He was notable as yet to lay on the table an official report of the progress that the delegation was making, but he was glad to say that the news he had already received was of a most encouraging character.

THE PENITENTIARY.

MR. HILL called attention to a great necessity that existed for a change in the management of the Provincial Penitentiary. The want of a system of classification and other improvements, was obvious to any one who visited that institution. He had gone there and seen enough to show him that material changes must be made in its internal arrangements. The Governor had informed him that there were no rules whatever for his guidance, and that the water had actually to be brought to the building from a long distance. It was impossible, under such circumstances, to promote cleanliness and health. A system of classification had been proved by experience to be most advantageous, and he strongly urged its adoption. He found that in New Brunswick the receipts from the labor of the prisoners amounted to over \$10,000, whereas in our own institution it was comparatively an insignificant amount. In conclusion, Mr. Hill asked the Government whether the Executive Committee who were appointed to take the report of last session into consideration had done anything, and if so, whether their report would not be laid on the table of the House.

HON. PROVINCIAL SECRETARY said that the condition of the Penitentiary had been very different from what could be desired. A committee of the Executive Council, consisting of the Hon. Solicitor General and Hon. Mr. Shannon, had been engaged in examining into the condition of the institution, removing some abuses that had existed, and preparing rules for its management. At the outset the greatest difficulties had been encountered, and while it was very easy for any committee or any gentleman interested to draw up a code of rules apparently adapted to the requirements of the institution, the moment the attempt was made to put them in operation almost insuperable obstacles arose. In the first place, the discipline had been, in past times, so lax, that the establishment had been in a state of rebellion since the attempt had been made to enforce the very severe rules, as they had been considered, which were adopted. As for the silence system and the system of classification, the character of the building and the absence of adequate provision, rendered their adoption impracticable. The attention of the Government had been called also to the deficiency in the supply of water. An engineer had been sent down, and measures had been taken which, it was hoped, would remedy the evil. The site of the building was such that great difficulty existed in obtaining the necessary supply, and this could only be remedied by incurring a large expense. He could assure the Hon. member that the utmost attention had been given to the institution, and that as efficient a system as could be put in operation was being adopted. The number of inmates had been largely increased by prisoners being sent there by the military authorities and by the civil courts, and while a great deal of improvement had been recommended and had been carried out, very great, and indeed insurmountable difficulties existed to the operation of any such system as that proposed last year. The only means by which that could be done would be by incurring a very large expense in the extension of the Peniten-

tiary, and in the increase of attendants. It was very difficult, where prisoners had enjoyed certain privileges for a number of years, to deprive them of these; and he only felt surprised that so large a number of men of such a character could be kept in control so well by the present number of attendants. The present Superintendent had done all in his power, and had given great dissatisfaction to the prisoners by the increased rigor of his discipline. He said he felt the matter to be one of great importance, and desired that anything should be done which it was in the power of the Legislature to do, and was therefore not sorry that it had been brought to the notice of the house.

Hon. Mr. SHANNON, as one of the Executive Committee said that there was no one thing in which more earnest endeavors at improvement had been made than in this. The system which had been recommended in the report made to the house, was based on the system in operation in the mother country—one that worked very satisfactorily there, because no expense was spared in its perfection, and also on the system in operation at the Melville Island military prison. As had been said, the building had not been constructed with a view to the arrangements which the modern system required. There had also been no proper arrangements for a water supply, and when the committee investigated the matter they found that the prisoners were frequently sent out to private property for water—the only wonder was that they could be brought back again. The excellent rules adopted last session, based on the silence system, had been carried out for a time, but the prisoners had been accustomed to the privilege of conversation during certain hours of recreation, and the attempt to enforce the new regulation almost created a mutiny. Nor was there any mode by which classification could be accomplished in the present formation of the building. A code of regulations embodying all the changes that could at present be effected, had been adopted, and it was at the hazard of rebellion that they had been put in force.

Mr. PARKER said it was to be regretted that a proper code of rules had not been prepared before. When the Committee of the house had visited the institution things were found not in any better, but in a worse condition than in the previous year. No fault was to be found with the Governor, for he was doing all in his power, but if the recommendations of last year had been carried out he thought the result would have been different and the confusion would have been lessened. Where all were jammed together, as at present, order could not be preserved, and it was with difficulty that the keepers could be distinguished from the prisoners. The water supply had been found still very defective, and on going into the shoemaker's shop it was found that the most antiquated system was in operation. He did not see why the inmates could not be prevented conversing as they did; when the committee visited the establishment the prisoners were at dinner and he was ashamed to think that in this country men were fed and kept in such a way—some were at the table, some were on the floor, and others scattered about the walls. Every man should

be brought to the table and obtain his proper allowance in an orderly way. He had visited a penitentiary in a neighboring province, and there he found the men neat and clean and orderly, the machine shops were in the most creditable condition, and not a word was spoken by any of the prisoners, either in working, in marching, or in eating. He hoped the time would soon come when a change would be carried out.

Mr. HILL said he could not agree with the remark that the classification system could not be carried out in the present state of the building, in which he thought no alteration was requisite excepting to give the prisoners a proper room for eating in. He did not wish, in anything he had said, to reflect on the governor of the establishment, who appeared to be doing as well as he could under existing circumstances.

Mr. ROBERTSON said he had declined signing the report, believing that some of its recommendations could not be carried out, and knowing that if members of the Government had been giving their attention to the institution all summer, they would be much better prepared to draw up regulations than a committee of the House, who only visited it once. He did not think the silence system could be adopted under present circumstances. The confusion appeared greater this year than the year before, but that circumstance might be owing to the fact that the prisoners at the time of the visit were at dinner, and it was not every day that they were visited by a parliamentary committee. In some of the workshops to which reference had been made, he had found nothing but what was to be expected, and he did not think any great improvement could be carried out. There was one great requisite, however, which was the separation of a dozen or more of the worst characters from association with the others; the effect of the present confusion in this respect was that the inmates came out more perfected in crime than when they were sent there. All the desired changes could not be carried out unless another building were erected, and he thought it high time that the province had a proper penitentiary.

MISCELLANEOUS.

Mr. McLELAN presented a petition for a grant to the road between Burke River Settlement and New Annan.

Mr. BLACKWOOD urged the prayer of this petition upon the favorable consideration of the Government.

Mr. ARCHIBALD moved that the report of the Commissioners relative to School lands be referred to a committee consisting of Hon. Attorney General, Hon. Mr. Shannon, Messrs. McLellan, Blanchard, Lengley, Pryor, and S. Campbell.

Hon. ATTORNEY GENERAL presented a petition from a school section in Antigonish relative to bounds of school lands.

The House then adjourned to the following day.

THURSDAY, March 8, 1866.

The house met at 3 o'clock.

PETITIONS, &c.

Mr. HEFFERNAN presented a petition from inhabitants of the Intervals of Guysboro' and the northern part of Manchester, for aid to

make a draw in the bridge over Milford Haven River, to enable vessels to pass and re-pass.

Also a petition from W. J. Bigelow, Esq., and others, asking a special grant for the road from the Main Post Road to White Haven, in Guysboro' County.

Also a petition from inhabitants of Larys River and Torbay praying for a Way Office and a new arrangement of postal affairs for those two settlements.

Also the petition of the inhabitants of Marie Joseph, Liscomb and Ecumsecum, for aid to repair the road between Liscomb and Ecumsecum.

Also the petition of the inhabitants of Wine and Indian Harbours for a sum of money to repair the road between those Harbours.

Also the petition of Alex. Sinclair, Esq., and others asking for aid to repair the road leading past the Saw Mill in Goshen.

Mr. BALCOM presented a petition from Taugler for a road from Musquodoboit to that place.

Also a petition for a road from Ship Harbour, to the same place. Also another from Jeddore on the same subject.

Mr. BOURINOT introduced a bill to incorporate the Washington Wharf and Harbour Company.

Mr. COLIN CAMPBELL presented a petition for the special marking of the mail bag for an island in the county of Digby.

Also a petition from the same place for aid to build a bridge.

LUNENBURG LUTHERAN CHURCH.

Mr. JOST presented a petition from the Elders and Trustees of the Evangelical Lutheran Church at Lunenburg, asking an amendment of the act incorporating them, and requested leave to bring in a bill in accordance with the prayer.

Mr. TOBIN said that the original act authorized the sale of certain church property which had been sold, and the trustees asked now further power to sell other lands without the consent of the congregation. He read a letter from the late clergyman of the church, stating that the trustees had dismissed him without paying him the arrears of his salary, for which he was obliged to bring an action; that, contrary to the expressed wishes of the congregation, the trustees defended the suit, and having failed in it, and having involved themselves in expense, they now desired to sell the church property, in order to reimburse themselves. He requested that the petition lie on the table for the present, a counter one being in circulation.

Hon. PROV. SECRETARY thought the usual course of allowing the bill to be introduced should be pursued.

Mr. ARCHBALD said that the usual course was pursued when the petition set forth grounds for the introduction of a bill, but it was doubtful whether the circumstances set forth in the petition were sufficient.

Mr. JOST said that the trustees only desired to be indemnified for a sum paid to the minister.

Mr. KAULBACK urged the adoption of the usual course. The persons opposed to the measure had been informed of the intention to introduce the bill, and every opportunity would be given for them to express their views in the usual way before the committee.

Mr. TOBIN again urged his former views remarking that the minister had been in charge of the congregation for twenty years, and that his statements were entitled to respect. He moved that the petition be referred to a special committee.

Mr. S. CAMPBELL said that the course usually pursued when a member stated that a counter petition was being forwarded was to allow the petition presented to lie on the table.

Hon. ATTY. GEN. contended that the bill should be introduced, stating that he had never known this courtesy refused to a member making the request. This course would not further the matter, and the merits of the case could be investigated by committee more conveniently.

Mr. ARCHIBALD replied that it was no question of courtesy, for courtesy required that the request for delay of the member opposing the bill should be granted. The very urgency and hot haste with which the matter was pressed indicated a doubt as to the consideration to which it was entitled. One very strong circumstance, he said, that the letter stated, was that these trustees had been evicted and others installed in their places.

Hon. ATTY. GENERAL said that the opposition evinced indicated to his mind a reason why leave should be granted. The petition stated nothing but what would entitle the trustees to a bill and it was well known that such officers were so often left in the lurch by their people that it was difficult to get qualified persons to act. He knew nothing of the matter except from hearing of it in the house, but it would appear that the trustees had made themselves personally liable for a debt which the congregation were bound to pay. It was not the duty of a select Committee to prepare bills and the introduction of a bill was usual on the statement of the applicants only, like the granting of a rule nisi.

Mr. JOST said that instead of there being any haste evinced the petition had been delayed for a day or two at the request of its opponents and he had presented it then because the last day for private petitions had arrived. The clergyman referred to had sued the trustees for £450 and had compromised for £200, so that by resisting the claim the congregation had been largely benefited.

Hon. PROV. SEC said that in relation to the time of the house and the transaction of business the question was one of importance. He had been in the house for ten years, and had never before seen a motion for the first reading of a bill thus opposed. He trusted the gentleman introducing the matter would press his motion and that motion would receive his support without his being in any way committed to the principle of the measure. It was a well established rule that the discussion of the merits of a bill should be deferred to the second reading; if leave were refused, how could the committee deal with the matter? They would have to go out and report without knowing what to report on, and might afterwards say, "if we had known that to be the nature of the bill we would have reported differently." If the practice were thus adopted of discussing a bill at every stage no less than six debates upon a measure might arise, and the time occupied would be such that the Legislature could not get through its labours.

The only question to be considered at present was whether the usual course should be adopted.

Mr. ARCHIBALD said that it was well known that the object of requiring three readings of every bill was to require the matter to undergo three investigations, therefore the right to debate the matter at that stage could not be denied. The effect of the pressing of the motion was to force the discussion of its merits. So far from the invariable practice having been as was represented, he recollected instances in his own experience in which the contrary course was promptly pursued upon such a statement as that made by the hon member for Halifax being advanced. If the motion made by that gentleman were negatived it could only be done by the leader of the government availing himself of the majority at his command.

Mr. TOBIN said that nothing which he had heard had convinced him that the course he had proposed was improper, and he knew of its having been adopted on previous occasions. He contended that the reception of the petition and the introduction of the bill would be an acknowledgement of the principle they contained. He had intended no discourtesy in proposing this course, and believed it to be the most appropriate under the circumstances.

Hon. ATTY. GENL. said that the decision of the house on this question would become a precedent, and gentlemen opposite might expect that the measure they meted would be meted to them again. It was undoubtedly the right of members to discuss a bill at each stage, but what would the result be if every member exercised the right?

Mr. JOST said that if the adoption of his motion would have the effect of shutting out the opponents of the bill, he would not press it. The introduction of such a bill was the course advised by the Chief Justice in trying the cause.

Mr. Tobin's amendment was negatived, 20 voting for it, and 22 against it. Mr. Jost's motion passed, and the bill was introduced and read a first time.

MISCELLANEOUS.

The bills relative to the New York and Cape Breton Coal Company, the Collins' Coal Company, the Boston and Bridgeport Coal Mining Company, and Acadia Lodge of Freemasons, passed their third reading and were sent to the Legislative Council.

Dr. HAMILTON presented a petition from Canning.

Mr. TOWNSEND presented a petition from Digby County for a grant to build a bridge, which, he said, would save four miles of travel.

Also a petition for the erection of a suitable building for the Customs Office at Yarmouth.

Mr. ANNAND introduced a bill to authorize an assessment in Dartmouth for a sum necessary to obtain a plan.

Also a petition from Lake Egmond on the subject of Education.

Mr. TOBIN presented a petition from ferrymen of Point Pleasant and Ferguson's Cove. He said that these parties received only \$40 from the Province, and were bound to convey passengers for seven cents each and to convey persons unable to pay without charge.

Also a petition from inhabitants of Prospect for additional mail accommodation.

Also a petition from Mr. Dauphney, Way Office Keeper, for an increase of salary, his present allowance being but \$8 per annum.

Mr. LOCKE introduced a bill to amend Chap. 128 of the Revised Statutes of the Jurisdiction of Justices of the Peace in Civil Cases.

Mr. LAWRENCE presented eight petitions from Hants County on the subject of Confederation.

Also a petition from North Hants on the subject of Education.

Mr. BLANCHARD presented a petition from New Annan for an alteration of the Education Law.

Mr. ROBICHEAU presented a petition from ship-masters, ship owners, and merchants of Digby and Yarmouth Counties—117 in number—for the erection of a lighthouse on Cape St. Mary's, in Digby County.

Mr. BLANCHARD asked the Government for a return shewing the amounts advanced or otherwise paid to the various counties since the 30th September, 1865. He said he understood that some counties had already drawn their full allowance for the present year.

PROTECTION OF FISHERIES.

Hon. PROVINCIAL SECRETARY, from the joint committee of both houses, reported an address to Her Majesty the Queen on the subject of the protection of the fisheries.

To the Queen's Most Excellent Majesty.—The humble Address of the Legislative Council and House of Assembly of Nova Scotia.

MAY IT PLEASE YOUR MAJESTY.—

We, your Majesty's faithful and loving subjects, the Legislative Council and House of Assembly of Nova Scotia, in Provincial Parliament assembled, would respectfully beg your Majesty's gracious consideration of the important subject of the efficient protection of our fisheries, which will be rendered necessary by the abrogation of the Reciprocity Treaty with the United States on the 17th day of March instant. Under the provisions of that treaty subjects of the United States are allowed to prosecute the in-shore fisheries along our coasts in common with our own people, and a very large number of vessels owned and manned by United States citizens have been engaged since the ratification of that treaty in this branch of industry. With the termination of the treaty their right to participate in these fisheries will expire, but we have had reason to fear that a pursuit which has engaged so much capital, and given employment to so many men will not be abandoned when the right to prosecute it ceases. While this Province is ready to contribute to the utmost of its ability to the protection of these fishermen, we would respectfully submit to Your Majesty that the means in its possession are obviously inadequate for the purpose, and that the rights of your Majesty's loyal subjects can only be efficiently upheld by the assistance of Imperial naval force. We would therefore humbly pray that your Majesty may be pleased to direct such measures may be taken as will effectually prevent the encroachment of foreigners upon our fishing grounds, and will fully protect those rights which we consider to be of the most vital importance to the prosperity of our country.

Trusting that your Majesty will be pleased to give to the subject of this address your grave and gracious consideration, the Legislative Council and House of Assembly as in duty bound will ever pray.

MISCELLANEOUS.

Hon. PROVINCIAL SECRETARY laid on the table a copy of the rules adopted by the Executive in reference to the Penitentiary.

Mr. PARKER presented a petition from Jas. Isenor and others, relative to fishery in the Shubenacadie river.

Mr. BILL presented a petition from C. Eaton and others, for aid to improve a wharf at Caning.

Also a petition for the opening of a road and the building of a bridge.

Mr. TOBIN thought the hon member should have leave to withdraw the former of these petitions. There were many wharves in Halifax that needed improvement, but it would be absurd to make application to the government for such purposes. He said that there was a road greatly needed in the western division of the county of Halifax, from Dover to Prospect, for which £1500 would be required, but there was not an application for a money grant from his constituents, although Halifax contributed about \$90,000 to the revenue.

Mr. BILL replied that the government should be grateful to the hon member for his sympathy. It should be remembered that the erection of wharves upon the Bay shore had been encouraged, and aid in some instances had been given from the treasury when the inhabitants had raised two-thirds of the amount required. The hon member, he said, seemed to suppose that Halifax was the whole Province, but he would have thought differently if he had turned his attention to the amount of revenue derived from the traffic on the Bay Shore. On one of those wharves 150,000 cords of wood had been shipped during the year.

Hon. PROV. SECRETARY laid on the table a return shewing the railway damages allotted to persons in Hants County, the amounts paid with interest, and the amounts due with interest. Amount received, £4475 1s. 3d.; also received for sale of lots at Richmond, £940 14s. 3d.; interest, £384 12s. 7d. Amount remaining due, £1,044 5s. 10d., with interest to the present time.

Mr. McLELAN asked the Government to lay on the table a return shewing the names and number of engineers, inspectors, &c., who had been engaged on the Pictou Railway, the country in which they had been previously employed, and the date of their employment on that line.

Hon. PROV. SECRETARY laid on the table the returns of the various Colleges of the Province for the past year.

Hon. ATTY. GENERAL laid on the table the report of the Adjutant-General of Militia for the past year, and also a numerical statement of the Militia.

Mr. KAULBACK introduced a bill to repeal Chap. 52 of Acts of 1863—entitled an Act concerning the Township of Chester, and to amend Chap. 44 of the Revised Statutes "Of General and Special Sessions." He explained that a bill of a similar nature had been presented last year and passed this House, but was ruled out of the Upper House in consequence of not having been first read at the sessions. This objection had been guarded against by this bill; he was not aware of any change having taken place in the Township of Chester more favorable to their District Sessions. But for the present he would content himself with merely introducing the bill, leaving further action to depend on, and as he may be advised as to, the general wishes of the Township—his own views on the matter had been given to the House last session.

Hon. PROV. SECRETARY, from the joint committee in reference to the Protection of the Fisheries, reported an address to the Lieut. Governor requesting that the address to her Majesty be forwarded. The address was adopted.

Mr. COLIN CAMPBELL presented a petition from Westport for aid in building a bridge.

Mr. ANNAND presented a petition from East Halifax on the subject of Education.

Also—a petition from Chester against Confederation.

The house then adjourned until the following day.

FRIDAY, March 9, 1855.

House met at 3 o'clock.

PETITIONS, ETC.

Mr. BOURINOT presented a petition from Captain and Adjutant Hill, 2nd Regt. Cape Breton Militia, praying for remuneration for past services.

ALSO—A petition from John Leslie and Thomas Moore, of North Sydney, praying for payment of loss sustained in a contract for building Letich's Creek Bridge.

ALSO—A petition from John Leslie, another petition to the same effect, relative to another contract for the same work.

ALSO—A petition from William McNamara, of Bridgeport, C. B., relating to a grant of land.

ALSO—A petition from George McKay of Sydney, complaining of the action of the Crown Land Officer in 1863, relative to some coal rights, and praying for redress.

ALSO—A petition from magistrates, merchants and others of Little Glace Bay Mines for the establishment of a Post Office and Money Order System to be extended to it.

Hon. PROV. SEC. laid on the table a communication to the Government from the School Commissioners of the City of Halifax, proposing certain alterations in the Education Law

Hon. Mr. McFARLANE presented a petition for the incorporation of Wallace Lodge of Good Templars, and a bill in accordance therewith.

Mr. DONKIN presented a petition from the Post Master of Pugwash for an increase of Salary.

Also, a petition from Benjamin Purdy for a grant of Crown Lands.

A message from the Legislative Council was received announcing that that body had passed the Windsor and Annapolis Railway Bill without amendments.

Mr. LOCKE presented a petition from 600 residents of Digby and Shelburne counties for the construction of a line of road to connect these two Counties. He strongly urged this matter upon the notice of the government.

Mr. C. CAMPBELL said that the construction of such a road would be a great boon to that country.

Mr. HILL presented a petition from a resident of the German Settlement on the line of the Windsor Railway, asking that a certain Indian Reserve be granted as Crown Lands.

Referred to Committee on Indian Affairs.

M. J. CAMPBELL presented a petition from Port Medway for a light house.

Mr. ROBERTSON presented a petition for the establishment of Barrington as a port of registry.

Mr. RAY presented a petition from Mr. G. R. Grassie for remuneration for Crown Services performed.

Mr. TOBIN presented a petition from 225 of the congregation of the German Evangelical Lutheran Church of Lunenburg against the bill introduced yesterday by Mr. Jost.

The bill and petitions were referred to the Committee on Private Bills.

Mr. D. FRASER presented a petition from Pictou for a grant to build a hospital.

Hon. ATTY. GEN. laid on the table for information of members a copy of the bill introduced by the Committee of Ways and Means into the United States House of Representatives containing the duties proposed to be levied on articles heretofore included in the free list.

BILLS.

The bills to incorporate the Washington Pier and Harbor Company, the Nova Scotia Chamber of Commerce, the Ophir Mining Company, the Merrigomish Coal Mining Company, and the Strait of Canso Marine Railway Company, were read a second time and referred to the Committee on Private Bills.

UNION OF THE COLONIES.

Hon. PROV. SEC.—By command of His Excellency I beg leave to lay on the table of the House copies of correspondence relating to the Union of the Colonies. The House is aware that both branches of the Legislature at the last Session passed a resolution in favor of re-opening negotiations for the Union of the Maritime Provinces. When that resolution was under discussion I stated that we had not only no reason to suppose that Prince Edward Island would be prepared to co-operate with the other Colonies in this matter, but we had every reason to anticipate that she would decline to re-open negotiations. At the same time it was thought desirable that an effort should be made to ascertain whether Nova Scotia and New Brunswick could not be brought under the government by a legislative union. The government and the legislature had initiated the policy of a Legislative Union of the Maritime Provinces at the previous session, and owing to circumstances detailed last year the negotiation arising from their action had been postponed, and the greater question of a union of all British North America was brought under consideration. When, however, an immediate union of that kind was found impracticable from the fact that the people of New Brunswick had returned a majority in the new House opposed to the scheme, the Government felt it their duty to revert to their former policy, and in discussing that resolution, I stated that so far from a legislative union of this and the adjoining Province in the slightest degree impeding the larger union, we regarded it as likely to promote that union and as being indispensable to the latter. Upon this subject I have always entertained very strong opinions, and have always felt there were a great many reasons why it was desirable that the Governments of the three Maritime Provinces should be carried on in a united form in case they agreed to enter into the proposed Confederacy. The resolution to which I have referred met with the unanimous approval of the House. I do not mean to say that there were not individual gentlemen who did not concur in the policy proposed, but the reso-

lution must be accepted as the unanimous expression of the opinion of the Legislature. The attention of the Government of New Brunswick was invited to the action thus taken, and corresponding action was adopted by the Legislature of that Province. Subsequently a delegation to England took place from the Governments of the two Provinces, and although the two Governments differed widely in their opinions upon the larger question, they were completely in accord as to the desirability of a Legislative Union of New Brunswick and Nova Scotia, and the views which the delegates for New Brunswick expressed upon this matter entirely corresponded with our own. I am aware that these gentlemen urged all the reasons in their power on the Imperial Government to induce their concurrence in the policy adopted. I have stated in detail the results of that delegation and the reception it met at the hands of Her Majesty's Government, and I am frank to say that after the fullest and most unreserved communication on the question we were given to understand that while no antipathy existed to the Legislative Union proposed, that Government having so fully committed themselves to the scheme of Confederation, were unwilling to revert to any policy which would seem to indicate that their opinions had undergone a change or modification, and under these circumstances they were not prepared to give authority to revert to the question of a legislative union, except that question were taken up and passed upon as auxiliary to, and intended to promote, the larger union.

While we were quite at liberty to urge our opinions in favor of a union of the maritime provinces as being conducive to that object, we were not prepared, and the Government of New Brunswick were by no means prepared, to adopt the policy with that view, for, as is well known, they were specially charged to oppose confederation upon the basis of the Quebec scheme. While the delegates, used every means to induce her Majesty's Government to concur with reference to the union of the lower colonies, that Government refused their assent upon the grounds stated. The correspondence contains copies of despatches in reference to the adoption of confederation, which the Imperial Government continue to urge on all the colonies by every argument in their power, and by the use of that influence which they consider themselves entitled to exercise, from the relative position of the countries in a question which they regard as vitally affecting the prosperity of British North America. It also contains despatches setting forth their reasons for declining to assent to the re-opening of the proposed negotiations.

Hon. PROV. SEC. laid on the table a statement asked for by the hon. member for Inverness (Mr. Blanchard) in reference to payments for road services. Also, plans and specifications of bridges and returns of engineers, inspectors, &c. on the Pictou Railway.

Mr. BLANCHARD introduced a bill to incorporate the Nova Scotia Slate Company.

EDUCATION.

Hon. PROV. SEC. then said:—Mr. Speaker, as chairman of the Committee of Education, I beg leave to report in part, from that committee, a bill to amend the act "for the better encouragement of Education," both in relation to

the province generally and to the city. On a former occasion I took an opportunity of explaining the policy of the Government in respect to this question, and stated frankly to the House the reasons why the speech delivered at the opening of the Legislature did not embrace a measure intended to amend the existing act. The House is well aware that no Government could be called upon to deal with a more difficult question than education. I am quite satisfied that it is unnecessary for me to state that in undertaking to deal with this question, the Government felt that they were discharging what was an imperative duty—one that was of a most responsible and onerous character, and for the accomplishment of which they required not only the cordial support of their own friends in the Legislature, but of hon gentlemen opposite who would be disposed to regard the great interest of education as of paramount importance, as well as of the intelligent people of this country, irrespective of party or of creed.

I may state at the outset that the Government owe to the gentlemen who usually sustain them in the measures which they feel it their duty to submit to the consideration of this Legislature, the very greatest obligations; they have met from these gentlemen a degree of support, in dealing with this most important and difficult question, that certainly exceeded anything they had a right to expect. These gentlemen have been obliged, in sustaining the Government on this great question, on many occasions, to run counter to what they believed to be their own personal interests, and have done what is far more difficult for a member of this Legislature to do—to take a course which exposed them to a great deal of censure and obloquy from many of their warmest supporters who had been instrumental in sending them into the House. I feel that I would be doing injustice to my own feelings, as well as to honorable gentlemen opposite, if I did not at the same time say that the government have received on this great question an amount of co-operation from them that is not usual for governments to receive from gentlemen who are opposed to their general policy. The same statement may be made with reference to the country outside. Not only have large numbers of the people throughout the province who were generally found supporting the government given their support in promoting this great measure designed for the advancement and improvement of the education of the whole people; but a great many influential and intelligent gentlemen who have been our most strenuous opponents in respect to our general policy have taken the most active and energetic part in endeavouring to treat this important question as one entirely superior to any political considerations, and have given to the measure brought forward by the government as enthusiastic and sincere assistance as they possibly could if it emanated from the party with whom they are politically identified.

I need not say that in dealing with this great question it was not strange that in the outset the government should be unable to devise such a scheme as would be found, when put into force, perfectly adapted to the great object for which it was intended. When the legislature met at the last session the government felt it their duty to come forward and say

frankly that the experience of the past year had convinced them that the measure of 1864 was susceptible of many improvements, and would require very extensive alterations.— Looking at the subject by the light of the past year, it was believed that amendments could be devised that would render the measure more operative, and remove many of the difficulties that had been encountered in putting it into practice. I am happy to state that the alterations that were made last session have commended themselves to the House and to the people of the province generally as a movement in the right direction, and that as far as they could they have materially promoted the cause of education. Experience, however has proved that there were many respects in which the act of last session could be rendered more advantageous to education and acceptable to the great body of the people.— Why the government have not brought forward the alterations and improvements required in the shape of a government measure, I explained on a previous day. There were two grounds upon which they felt they would not be consulting the best interests of the country or the measure itself, if they pursued such a course. In the first place when the Government brought forward the measure at the last Session, it was submitted to the House under an implied, if not open pledge, that whilst they regarded the great principle of free schools, sustained by assessment of the property of the country, as a vital and indispensable feature of the bill, and upon it were prepared to take their stand, yet they left the minor details to the free and unrestricted action of gentlemen on both sides, without endeavoring to bring that amount of pressure which Governments, from party considerations, are often able to bring upon gentlemen who usually sustain them. Having submitted the question in that manner, and the House having, by a large majority, sustained the Government in the fundamental principles of this measure, we considered we were not in a position (except at the risk of being charged with violating the pledges which we had made) to bring forward this question again as a Government measure and to press it by such influences as Administrations can use with gentlemen who ordinarily sustain them. There was another reason why the Government could not take the course of bringing this question forward as a Government measure, and that was—the consideration that it was our duty to endeavor to present it in such a way that it would not bear the slightest party aspect, so that any measure that might be passed might be considered the result of the serious and deliberate action of the majority of the Legislature, irrespective of all political considerations whatever.

I need not, on the present occasion, go into any elaborate statements with regard to the measure itself. The Superintendent of Education has so thoroughly discussed the question in all its bearings, in the Report presented a few days ago to the House, that I feel I would be only trespassing unnecessarily upon the attention of gentlemen if I were now to enter into any elaborate arguments on the subject before us. I may say, however, that the Committee of Education, having received the Superintendent, and ascertained what his views were, both in respect to the country and the city, have

been able to agree upon a bill, and to report it for the favorable consideration of the House. This bill, we believe, with such modifications as hon gentlemen around these benches may be able to suggest, will be a large improvement upon the Act of last year. I trust that this measure, coming, as it does, from a committee composed of gentlemen on both sides of the House who take a leading part in the transaction of the public business, will meet with favorable consideration, and will promote largely the educational interests of the country.

I have no hesitation in saying that, having given the subject the most careful consideration in my power, I believe that the law now on the statute book is a great improvement upon former legislation. I believe that the statistics which are presented by the Superintendent of Education in this Report can leave no doubt on the mind of any gentleman that the great question of Common School Education has received from the great body of the people of this country an amount of attention that it never received before. Whilst the Act has received a great deal of embarrassment and obstruction,—such as might be naturally expected in connection with a question touching so deeply the prejudices of the people,—having the disadvantage of making an inroad into the pockets of the property holders throughout the country; yet, despite all this, it has done a vast amount of good. We are in a position to see beyond doubt what it can do when such improvements are made, as experience has shown, are necessary for the greater advancement of education. No fact proves more conclusively the truth of this statement than the preparation that the people have made to carry out the Act. The Superintendent tells us in his Report—"There were built during the past year 164 new school houses; erected and in course of completion, 136; voted to be built at the last annual meetings, 220. Total number of new school houses undertaken in one year, 520." The House will at once perceive, with such facts before them, that a new spirit has been infused into the people by the law which enables the people to come together and assess themselves for the construction of school houses. I may also call attention to the fact that whilst difficulties have occurred, and a good deal of embarrassment has been occasioned by the hostility of large sections of the people to a new measure of this kind, which was not calculated at the outset, for many reasons, to be very popular, yet the Superintendent of Education is able to show that a larger number of children have been receiving school instructions—although in many of the sections the schools have been closed—than in any previous year of which we have a record. This significant fact shows conclusively that whatever may be the shortcomings of present legislation, a most important stride has been taken towards the general education of the country.

The House will remember that whilst the government were sustained by the Legislature, at the last session, in carrying out the fundamental principle of free schools—county assessment as the means by which these schools would be sustained—the bill was materially altered from what it was when first introduced. One of the alterations was in respect to the mode of supplementing the amount derived from the provincial treasury and from the

county assessment. The Bill propounded that the amount should be left open, and the rate-payers of the section should be enabled to supplement the provincial and county grants by assessment, if a majority so decided. The House altered that clause, and while I believe that the great difficulties encountered during the past year chiefly resulted from that change, I cannot say at this moment that I regret that the bill was so amended. The result has been that the attention of the intelligent people of the country has been turned to the importance of this sectional assessment and to the necessity of having power to assess themselves as they think proper; and that the question now assumes a far more favorable aspect than it would have otherwise. From all parts of the country that have made their voice heard in the House during the present session, the evidence has come that a great change of public sentiment is taking place. Last winter I had the mortification of hearing petition after petition read at the table opposed to the general principle of assessment as the means of supporting the common schools of the country. I may be mistaken, but as far as my memory serves me at present, I have not heard one petition read during this session that asks the Legislature to recede from the principle of assessment which they have adopted, and to return to the old system for the support of schools.

Under these gratifying circumstances,—in view of the demand that is coming up from the most intelligent sections of the country for the privilege to supplement the chief sources of support by local assessment,—the House will not be surprised to learn that the Committee on Education have reported a bill asking this Legislature to give effect to the prayer of the petitions. Under the existing law a certain sum of money has been annually voted from the treasury to each county in the Province for the support of schools, and that fund has been divided by the Boards of Commissioners among the teachers, according to their classification. The committee have come to the conclusion, in accordance with the opinion of the Superintendent as presented in his Report, that this system is capable of some very radical changes. The object of the Provincial aid ought to be, as far as possible, to do equal justice to that great body of persons whose services are so essential to the education of the country, namely, the school teachers. Under the present law, two teachers, of the same class, and of equal ability, may be very differently paid. We have learned that, in some counties, a first-class male teacher has received \$200, whilst another, equally qualified, has only received \$71.30. The present bill proposes that the payment of the Provincial grant shall be made direct from the treasury to every teacher in the Province, according to his or her class of license, upon the certificate of the Board of School Commissioners. The result will be that teachers of the same class and qualifications will receive an equal amount of remuneration. But there is another reason why some such change as this is necessary. At present, the trustees have to incur very onerous responsibilities. They are required to make engagements with, and become responsible to, the teachers for their salaries. Gentlemen naturally shrink from a position which entails upon them a large responsibility, without enabling them to

know from what source they will get the requisite funds. When they engage the teacher, they cannot tell whether they shall receive \$200 or \$50 from the Provincial treasury,—it depends entirely upon circumstances over which they have no control. The new law, however, will remedy this difficulty, and place the trustees in that position which it is necessary they should occupy. The scale of remuneration proposed is as follows:—

1st class male teachers,	\$120
1st " female "	} 90
2nd " male "	
2nd " female "	} 60
3rd " male "	
3rd " female "	45

A very strong feeling has been exhibited by large numbers of the people to provide for the education of the country by indirect taxation; in other words, to draw directly from the treasury the sums of money required to keep up our schools. The Superintendent of Education has gone so fully into this subject, and has shown so conclusively that such a system is entirely impracticable, that it would be entirely superfluous for me to make any lengthy remarks on the question. I have never yet met a man who has been able to suggest any satisfactory means by which this money could be distributed, and by which the common school education of the country could be efficiently sustained. The House, however, will be glad to know that from the scale of provision now suggested the teachers will be better paid, according to their class and merits, and will necessarily feel stimulated to increase their attainments. By this means, the qualifications of the teachers will be improved, and the character of our schools correspondingly raised.—The mode proposed will secure, besides, a more satisfactory provision for the regular increase of schools and teachers. The extension of educational operations will be met by a corresponding increase in the aggregate sum annually drawn from the treasury. The amount thus drawn will depend upon the number of schools in operation, the class of teachers engaged, and the length of time the schools are kept open during each term. Therefore it will be seen at once that the result of the proposed change will be to increase the amount that will be annually contributed from the provincial treasury for the support of this great public interest.

The committee do not propose at all to interfere with the system of county assessment, which, as far as I am able to ascertain, has given very general satisfaction to all its friends; but they believe that in order to make the principle more acceptable you must carry it far enough to secure such advantages as will convince the people of the necessity and benefit of contributing directly to the support of the common schools of the country. Under the present system, the amount so contributed has been found too small, large as has been the amount granted from the treasury. The committee believe that the provincial and county grants should be large enough to establish a school of the lower grade—in order that there may not be any section, however poor, that will not have the means of teaching every child to read the Bible. It is proposed to assess every county in the province only to the extent of 30 cents for every individual of the population—which sum, we believe, will raise such a fund

as is required. This amount will involve a little addition to the present rate of assessment, but it is quite insignificant. On the other hand, as I have already shown, the amount drawn from the provincial treasury for the payment of teachers will increase with the population and wealth of the country year by year, and in this way the desire of the people to have a large and liberal system of free schools will be fully accomplished.

Then the bill, instead of depriving the people of this country of the privilege, which they have enjoyed for twenty years, of assessing themselves, in order to sustain a higher grade of schools, proposes to give to a majority of the ratepayers in each section the power to provide school houses, as well as apparatus, and everything appertaining to a thorough system of education. This provision will leave the matter entirely in the hands of the people themselves; it will be impossible to levy, under this law, any rate on a section except it is voted by a majority of the rate payers.

It is proposed, I may here state, to distribute the amount derived from the country in the same mode as exists at present, according to the average attendance at the schools. The effect of this system has been most salutary upon the attendance of the children, as will be seen from a reference to the Superintendent's report.

The only other point to which it is necessary that I should call your attention is the fact that this bill proposes to grant \$10,400 for books, in addition to the sum annually voted from the provincial treasury. These books are to be furnished to all the schools throughout the province at one-half of their actual cost, and a large portion of the money so expended will gradually be returned to the province. By this means a uniform system of school education will be arranged, and the people be relieved of a very large charge now falling upon them.

In relation to the city of Halifax, I may state that all the Commissioners—a Board of most influential men, who have given a great deal of time and attention to their duties—appeared before the committee, and agreed on certain alterations that are now proposed. The law for the city, as you are aware, provides, in the first place, for assessment in the same rate as the county assessment throughout the Province, and secondly, that the Commissioners shall have the power of levying a second rate upon the citizens; to supplement the amount required for the purpose of sustaining the public schools. The Commissioners have asked the House to alter the law so as to enable the entire amount required to be levied with the city assessment in the first instance, and thereby avoid the necessity of raising a supplementary sum. The committee were not prepared to alter the clause which provides that two Commissioners shall be drawn from each ward. The Commissioners thought that it would be preferable if the Government should select the Board, irrespective of the ward. We met them, however, on the threshold with the argument that they presented, in their own persons the strongest evidence why no change should be made in this respect. The Commissioners also recommended that the Board be paid \$300 a year for their services, but to this we could not agree. I have no doubt it was a very legi-

timate claim,—but the committee felt they could not propose it to the House without bringing up, necessarily, the question of payment to the School Commissioners throughout the Province. Such a payment would involve a heavy expenditure, which this country is not prepared to incur. We believe that these gentlemen, in the city and country, must for the present discharge their duties, onerous and responsible as they are, gratuitously, for otherwise the amount of Provincial aid would be materially crippled. The government and country, at the same time, fully appreciate the great services that these gentlemen perform in connection with the important question of education.

In conclusion, I will only say that the report of the committee which, I am now presenting, has been adopted with only one dissentient voice—the hon. member for Guysboro' did not feel himself warranted in agreeing to the suggestions embodied in this bill. I have no doubt that the Legislature, without reference to party, will perform the duty which they owe to the country by considering this important question in that dispassionate and deliberate manner to which it is entitled.

Mr. S. CAMPBELL said—As the dissent which I expressed in committee to this measure has been spoken of, it is but right that I should state the reasons which led to that dissent. During last session I expressed myself hostile to the principle of direct assessment for educational purposes, and I have seen nothing in the interim to induce me to change my opinion; on the contrary, my own observation and communication have given me reason to have that opinion deepened, and have added force to the views I then entertained. The Provincial Secretary has spoken of the duty of the Government in reference to educational measures, and he told us in the session of 1864, as well as last session, that that duty was fully recognised by the Administration. I would enquire how it is that that duty is now ignored by the Government, and why it is that it has devolved upon a committee of this House. Not only are the gentlemen composing the Executive Council of this country charged with the administration of public affairs, but they constitute also, nominally at least, the Council of Public Instruction, and have been unwilling to part with that title, so that in both capacities it became especially their duty, in this matter, to place themselves before the country. The Council of Public Instruction, as I have said, have but a nominal existence; the duties are discharged by the Superintendent of Education, and not by the gentlemen who insist on having this denomination applied to them; and I think I may find in this fact a good reason for the very significant circumstance that numbers of petitions, all couched in the same language, have been presented to the House, asking for such an amendment of the law as will disperse entirely with voluntary subscriptions as a means for the support of schools.

Let us look at the matter practically, and see what such a modification as that will be. We are told that a taxation of thirty cents for every soul in the Province will be imposed on the property of each county; every gentleman can make the calculation for himself, but I can only say it is going to impose a very onerous tax upon the people of this country. Take a county

having a population of 10,000 or 20,000, for example, and you will see what a burden you are going to impose upon them in addition to their statute labor, their militia duties, their poor rates, and their ordinary county rates, in the name of the advantages to be secured by education. There is no man who holds the value of education higher than I do, and no one who would be disposed to go further than I to secure its blessings for the people, but those blessings are not to be secured by the very unfeeling and arbitrary measures hitherto adopted. There is another mode more agreeable to the feelings of the inhabitants of this Province, and that is the adoption of the principle of supporting our schools out of the public treasury. By the system now in operation, a certain proportion of the requisite funds are derived from this source; the Government have therefore adopted the principle in part, and it is competent for them to introduce a measure which, by adding a very small per centage to the *ad valorem* duties, would secure a sum equal to what is required in a ready and simple way. The Provincial Secretary, I say, has conceded this principle. I desire to see it extended, knowing that such a system would produce all the effects contemplated, and would be consonant to the feelings, instead of exciting the prejudices, of the people. The tax of thirty cents to which I have referred is not all: there are other large expenses—for instance, the allowance for school books has been raised from \$2000 to \$10,000, and in addition there is to be a provision for assessment, by the vote of the majority in the sections, for supplementary support. These are some of the reasons which have induced me to withhold my assent from this bill, but there will be another opportunity on which I shall feel it my duty to submit these views in such a shape as will call upon every member to say whether he is disposed to place upon his constituents the onerous tax to which I have referred.

Mr. ARCHIBALD—I have taken a deep interest in educational matters ever since they were brought before the Legislature, and I have never scrupled to express in the most open manner the views I entertained without considering whether they were popular or the reverse. In the bill of last year there were features to which I took very strong exceptions, and on which I divided the House, because I believed they would impede the operation of the measure. Notwithstanding my objections, the provisions in reference to the Council of Public Instruction were introduced and carried, but I entirely differ from my friend who has just spoken, in his views of the duties discharged by the Superintendent of Education;—so far from my objecting that that officer should be mainly responsible for the management of the department, I consider that a redeeming feature which I hardly expected to find. My objection never was to giving to such an officer large and important powers, but to having him under the authority of the Council that appoints him, and, therefore, so far from thinking that he has too much power, I should be very glad to see the name of the Council of Public Instruction blotted out altogether. The hon. member for Guysborough is perfectly consistent in the course which he has adopted,—he has always opposed assessment for educational purposes,

and I was quite prepared to see him oppose this bill upon the same grounds, but it will be for the House to say whether its details are likely to improve the system now in operation. There are two or three features comprised in this measure in which I think everybody should concur. For the alteration made in the bill of last year substituting partially the system of voluntary subscription for assessment, I am willing to take a large share of responsibility, and I will say further, that if the question were to be brought up again with the temper of the country in the same condition, I would repeat my proposition, and feel that I was acting in the educational interests of the country to urge its acceptance on the House. What was the condition of the country? It will be recollected that in 1864, when the first bill was passed, the question of taxation was introduced for the first time, and we made a provision by which assessment was not compulsory, but the people could raise one third of the required amount either by that course or by voluntary subscriptions, so that in each of the thousand sections into which the country was divided there was a debate and a squabble creating angry and irritable feeling because the people felt that if they failed to subscribe, or if having subscribed they failed to pay, the mode of assessment was resorted to and they were disposed to think that they were being entrapped into a system to which they were opposed. It was impossible not to see that it was necessary to meet this feeling, and a large number were of opinion that voluntary support was all that was required,—we adopted a clause to remedy the difficulty and what is the result? Do any of the petitions presented ask us to recede from the step taken? No, but they all ask us to advance a step further and to sectional assessment, so that the course taken last year by soothing the existing excitement has been most beneficial and has led the people to believe the system of assessment to be a sound one. Another feature to which I wish to refer is the distribution of money according to counties by which all persons engaged in teaching, possessing the same qualifications and passing the same examination, shall be entitled, wherever situated, to the same remuneration. It is quite obvious that if you tell every teacher that no matter what county he may go to he will have a fixed sum for his services you not only give him a security and an inducement to discharge his duties fairly, but you hold out to him a great encouragement to advance himself from a lower to a higher grade, and you let him know that the moment he arrives at the condition of a superior teacher the amount of his salary will be increased. It is obvious that all teachers should if possible have first class qualifications and every one knows that the difference in this respect is immediately felt in the results of their labours in the school;—it is therefore of great consequence to get the teachers themselves to feel that they are personally interested in this matter. The hon. member for Guysboro' has also taken exception to the large sum to be voted for school books. If there is one thing more than another that impedes school teaching it is the system which gives to the teacher

five or six different kinds of books, and obliges him to fritter away a large portion of his time in adapting himself to them. The arrangement proposed is that a sum be appropriated for school books, which the sections may purchase at half cost, so that instead of being thwarted as he was under the old system the teacher will find a uniform edition of the best school books approved by the Council of Public Instruction at his hand. Instead therefore of being an objection, I consider that one of the wisest provisions in the bill, and if you were to take that money and buy up all the school books in use, excepting those approved, and burn them, I believe you would be conferring a service upon the country and improving its system of education. As regards the support of our schools, it is a very popular doctrine to say to the people that they should be supported out of the general revenue, and such a doctrine would receive a large amount of support at the hustings, but its adoption is practically impossible, because the amount of money required for educational purposes would be larger than the revenue would bear. But it is said that by taking something from the chest the principle is conceded. I admit it is conceded that the treasury should bear a part of the burden, but there is not only a duty devolving upon the general public, but a duty devolving on the smaller public constituting a county, and a third duty devolving on each individual section to support the school in which it is specially interested. In point of fact it has been found, and the Superintendent refers to the matter in his report, that in those countries where a public endowment exists the system has failed to give good schools, for persons who have their education found for them are disposed to undervalue it, as in matters of religion it has been found that those who have to contribute most largely to the support of their churches value the benefits they derive more highly. I believe there is no way in which we can better divide the support to be given to education than by making it partly county and partly sectional. The effect of this bill will be that no section will be in such a position that it cannot have a school of some kind, and no trustees will be in a position to say that they cannot employ a teacher, because the fund will be amply sufficient for the purpose;—if on the other hand a section desires a better school, and has the public spirit to take the necessary measures, their wants will be supplied, and their efforts aided. Many persons seem to suppose that the objections which have arisen prove that there is something fundamentally wrong in the system that has been adopted, but I believe that if you passed a bill which was absolutely perfect, a large number of difficulties would have arisen, because you can never get the habits of the people in such a position that they are prepared for a sudden change, and if the present bill, which is a vast improvement upon the others, had been passed at first, I consider that similar obstacles would have been encountered. I think the house has a right to congratulate the country and the friends of education have a right to congratulate themselves that after two years' trial of the educational law in the nineteen counties of the province you find the municipal bodies without a

dissenting voice agreeing to assess themselves for a very large sum to support their schools. Anybody fortelling such an occurrence some years ago would have been looked on as a dreamer, and it must be seen that when those municipal bodies have been taught to regard it as their duty to make this assessment, a great stride has been taken in the cause of education, and that year by year as the country becomes used to the system the taxation will be imposed with increasing facility. I therefore feel that this bill is a great improvement on the legislation of last year, and though it has met with an opposition quite consistent with the past history of some gentleman, I am happy to say that in a committee formed without respect to creed or party every gentleman recognized the importance of the principle upon which it is founded. It was said in the discussion of last session that the gentleman holding the office of Superintendent of Education previously to the present incumbent had been of opinion that the third proportion of the requisite support should be made by voluntary subscriptions, but I have looked at the reports of the late Superintendent and also of Dr. Dawson, and I find that the principle of the bill is the principle which they all attempted to introduce.

Dr. E. L. BROWN said—As one of the committee, I desire to say that I approve of most of the conclusions which they came to. On one point I differed in opinion from the other members, holding that the monies coming from the Province should pass through the hands of the Board, to be distributed by them, believing such a course to be more respectful to the gentlemen composing them.

Mr. C. J. CAMPBELL said—I cannot allow this opportunity to pass of expressing my admiration of the abilities of the Provincial Secretary in defending the Education Law. It has been said of some men, that words are given them to conceal their thoughts, and it would seem that he is endowed with that ability. In my opinion, the law was the most unpopular one that had been passed for years,—but it would appear, from that gentleman's language, that nothing has exceeded its value, and the leader of the Opposition endorses these sentiments. Matters appear to have come to a strange condition in this country, and I think it is high time for us to look around and see what is going to happen. My views of the bill are very different from those which these gentlemen entertain; and I think that a Government who have been agitating the country for three years by an imperfect measure should be held responsible for that agitation, without allowing them to throw it off by inducing the leader of the Opposition to amalgamate with them. I am afraid that that gentleman is playing a game upon the Government, and I would advise them to extricate themselves as best they can. It would be difficult for many persons to understand the manner in which some portions of the country have been tormented by this law. This is the fourth bill; and it is certainly a melancholy circumstance if gentlemen setting themselves up to govern the country cannot mature a measure without this difficulty and delay. Before the people fairly understand what the law is, they find that a new bill has been introduced. Upon

the second reading I will move an amendment expressing my views, for I hold that if the Government intend to establish free schools, those schools should be supported out of the revenue, instead of obliging the people to tax themselves for the support of schools which are under Government control. If it is desirable to maintain schools for the poor, let the treasury bear the burden, and the people will contribute aid,—but a system like the present one I believe to be opposed to constitutional principles. It should also be remembered that there are classes in this country who do not approve of having one common school for all the children of the section, but would prefer separate schools, and this law is unjust to them, because, while they are taxed to support the common school, they have likewise to bear a proportion of the expense of a private school. One of the features of the bill introduced last session was the provision that no man should be obliged to pay a sum greater than \$40, but when it went to the country as law, no such clause was to be found. The leader of the opposition made reference to the system of church support, but that, I consider, rests on entirely different principles. Many of the statements made by that gentleman in the course of his speech I deny *in toto*.

Mr. TOBIN said—The hon. gentleman usually styled the leader of the Opposition ought to be called a supporter of the Government. From that gentleman I entirely differ in his views of the constitution of the Council of Public Instruction. If the Superintendent were clothed with entire and absolute authority, he would have some difficulty in going into some counties in the Province. I believe that to be the conservative feature in the bill, and a very valuable provision, as giving such a right of appeal from the decisions of the Superintendent as would allay the feelings of exasperation that were likely to be aroused. If it had been otherwise, no Superintendent could have withstood the opposition of the people in arranging the various sections. That is the only point, however, on which I differ from the learned gentleman. I was of opinion last year that the optional clause would have an injurious effect in impeding the operation of the law, and the petitions which have been presented have confirmed that impression. I have only to add, that as one of the committee, the bill has received my entire concurrence, and that I believe its provisions to be such as were desirable.

House adjourned until 3 P. M. on Monday next.

MONDAY, March 12, 1866.

The House met at 3 o'clock.

PETITIONS.

Mr. MCKAY presented a petition from West River, in the County of Pictou, for the establishment of a Way office.

Also a petition from 700 persons in Colchester and Pictou Counties, in reference to a Railway Station.

Mr. C. J. CAMPBELL presented a petition from Abraham McIntosh and others, for a grant to a breakwater at St. Ann's.

Also a petition asking compensation for damages sustained by the carrying away of a bridge.

Also a road petition from Cape Breton.

Mr. ROBICHEAU presented a petition from Sandy Cove, in the county of Digby, for additional mail communication.

Mr. HEBB asked the government to lay on the table papers relating to the Inspector of Schools for Lunenburg County, and the discharge of his duties to 31st Dec.

Mr. HATFIELD presented a petition from the district of Yarmouth in reference to a mail route.

Mr. COLIN CAMPBELL presented a petition from W. J. Ward and others in reference to a Post Office at St. Mary's Bay.

Also a petition for remuneration for extra services from contractors for the erection of a light house.

Also a petition from coloured persons residing near the town of Digby on the subject of Education.

Also a petition from Westport against Confederation.

Mr. ROSS presented petitions from Post Masters of Inglis Town and Boularderie for increase of salaries.

Also a petition from D McLean and Angus Hynes, ferry men, asking compensation for the additional labour devolving upon them under the Militia Law.

Also a petition from 44 inhabitants of Big Baddeck for a road from that place to St. Anns.

Mr. CHURCHILL presented a petition for an increase of salary.

Mr. ARCHIBALD presented a petition for the contract for the building of a bridge at Acadia Mines.

Also a petition from Rev. Mr. Waddell, a Commissioner of Schools for the shore district of the County of Halifax, setting forth desired changes in the Education law, in reference to the support of Schools in poor sections.—Referred to Committee on Education.

Mr. TOWNSEND a petition from Yarmouth for the erection of a breakwater.

Also two other petitions on postal matters.

BILLS.

Mr. PRYOR, as Chairman of Committee on Private and Local bills reported favourably on the bill to incorporate the Ophir Mining Company without amendments, and the bills to incorporate the Strait of Canso Marine Railway Company, the Nova Scotia Chamber of Commerce, the Merrigomish Coal Mining Company, and the Washington Pier and Harbor Company, with amendments.

HON. ATTY. GENL. presented a petition for an act to enable the Trustees of a School Section in Colchester to sell the school house.

HON. Mr. SHANNON introduced a bill to establish a system of Sewerage in the City of Halifax.—Also a petition from Gay's River on the subject of Education.

STEWIACKE RAILWAY PROPERTY.

Mr. ARCHIBALD enquired of the Government whether certain lands at Lower Stewiacke had been disposed of. He said that the sale of this property had been reported against by the Railway Committee but he had been informed that the Government had determined to override this decision and to sell the land.

HON. ATTY. GENERAL explained that in previous sessions the matter had come before the Committee in the shape of a claim founded on the assertion that the land had never been paid for and that a greater quantity had been

taken than was intended. The lot referred to was not required for Railway purposes and the applicant offered an exchange, giving instead of this lot a property about double the dimensions in another locality. That the lot was not required to be retained was shown by the fact that it was leased at the time of its transfer.

Mr. PARKER said that the claims of the purchase had been before the House for two Sessions and the decision of the Committee appeared to have been overridden.

HON. ATTY. GENERAL said that both applications of the purchaser stated that the property had not been paid for.

Mr. ARCHIBALD said that the Committee were indisposed to part with the property at all for the reason that the rent which it produced was larger than the sale would produce.

PETITIONS.

Mr. ARCHIBALD presented a petition for the establishment of a Way Office at North River.

Mr. JAS. FRASER presented a petition from East River and Albion Mines in reference to the building of a bridge.

EQUITY LAW.

HON. ATTY. GENERAL introduced a bill to amend chaps. 124 and 125 of the Revised Statutes, in reference to Equity proceedings. He said that this bill was a counterpart of the bill introduced last year which passed unanimously, its object being to provide for the conduct of cases in Equity. Under the present system arising from the abolition of the separate Jurisdiction of the Court of Chancery, the business had been transferred to the Supreme Court, the Judges of which had endeavored to perform the duties thus thrown upon them, but a great deal of difficulty had been frequently experienced by questions of equity being frequently introduced into cases originally founded in law, and professional gentlemen were frequently astonished in the trial of causes of that kind at being unexpectedly turned over to the Equity Court. Difficulties like those, he said, had led both bench and bar to the conclusion that some change was required in Equity proceedings,—the Judges had met and the bill was the result of their deliberations. His own practice in the Supreme Court had led him to the belief that a great deal of difficulty and expense had arisen from the existing practice in these matters, and he was inclined to think that the bill did not go far enough, for the provisions of the legislature combining law and equity he considered had been carried farther than was intended.

Mr. ARCHIBALD said he was aware that great difficulties had arisen in the practice as at present established, and he knew that two or three important suits had not been advanced a single step for a year owing to these difficulties. His own idea, however, ran contrary to that of the Attorney General, for he would desire to see not a further divorce of equity from law, but a resolemnization of the marriage, the banus of which that gentleman had pronounced some years ago. The hon. gentleman, he said, had long studied to remove the difference in the proceedings, but he would now be fairly open to the charge of being untrue to his early instincts. No greater boon could be conferred on the people than to

make such a provision as would give to a man the right to go into court with a case in which he was entitled to succeed without being hustled from one court into another, without getting justice in any. His idea had been that in the appointment of an Equity Judge the opposite road had been taken, and that after adopting a system which the people were beginning to understand—that system was being destroyed, and the old Chancery practice was being restored. It would now seem as if not the Chancery Court, but the Judge who had sat in that court had been legislated against, and nature having removed him, and the Attorney General having obtained a Judge whom he liked better, that gentleman was asking the house to go back to a system which was unsuited to this country, and was being greatly modified in countries in which it was established.

Mr. MILLER said that no more important question than this could come under the consideration of the legislature. It was evident to members of the profession that the tendency during the last two or three years was to revert to the Chancery system, and if such were the intention the course should be taken by the house with its eyes open and without drifting in that direction under a false impression. It would be seen by a reference to the Statutes that provisions very much assimilated to that system were in existence for equitable issues were brought from the country and tried in Halifax at an enormous expense to the suitors. He had been connected with an action of ejectment connected with the county of Antigonish in which a verdict had been given for the plaintiff and sustained by the whole bench, notwithstanding which proceedings were being taken in the Equity Court to set aside the verdict and endless litigation must be the result. He did not deny the propriety of allowing Equity to give a remedy where law could apply none, but he thought all equity actions should be tried in the county where they originated. It behoved gentlemen from the country connected with the legal profession to see that all this species of business was not drawn back to Halifax, as there was a probability of its being, and, he said, it seemed probable that before long the mask would be thrown off and the old Court of Chancery with its many causes of objection and its great expense would be revived. The change proposed by the bill appeared to be an important one and he trusted it would receive careful attention.

Hon. ATTY. GENERAL said that his wish was not to limit the power of the Supreme Court Judges in applying equitable principles nor to change the venue of country causes. The Judges seemed now to be under the impression that they were bound to apply equitable principles to a case of law under trial whether these were equitable pleadings or not, and the moment a Judge left the fundamental principles of law for any floating ideas of Equity, a system was produced on which no one could depend. If any members of the profession could make any suggestion by which pure law could be had when it was wanted and pure equity when that was wanted they would be gladly received. The difficulty at present principally arose in the administration

of equitable principles in cases in which no equitable pleadings were put in.

The bill was read a first time.

LICENSE LAW.

Mr. ARCHIBALD said that a number of petitions had been placed in his hands, praying an alteration of the license law. When this matter had been discussed previously, the decision of the legislature had been that the sale of liquors and the sale of groceries should be separated;—this principle had been conceded as a sound one by nearly every member whatever his abstract opinions on the subject of temperance might be. It had been assumed and admitted that there was no such dangerous combination as that which formerly existed, and his opinion had been that the matter was thus disposed of, but it appeared by a decision of the Recorder of Halifax that the law could be evaded, or its difficulties got over, by granting two licenses to each individual so that, instead of separating the two branches of trade, the effect was merely to impose a heavier tax upon the dealer. He presented petitions from the residents of Wallace, Argyle, St. Margaret's Bay, Elmsdale, and Margaree on this subject, and obtained leave to introduce a bill to amend chap. 19 of the Revised Statutes.

Mr. BLANCHARD said that in the license law there had always been a distinction made between the town of Pictou, the city of Halifax, and the other portions of the Province. He did not understand why some of his constituents had petitioned for a change in the license law of Halifax.

Mr. ARCHIBALD replied that the matter was by no means local, and he presumed that these petitions were signed in the general interests of the cause of temperance.

Hon. ATTY. GEN. said he could not conceive how the two licenses could enable parties to evade the law, inasmuch as the tavern license itself stipulated that goods should not be sold in the same premises with liquors, nor did it seem to him consistent with the duty of the sessions to grant them. By the decision of the Recorder, however, it appeared that the law could be so evaded, and if the separation of liquors from other goods had been the settled policy of the House, it should be carried out. It was intended to restrain a system which was undoubtedly a gross abuse.

Mr. BLANCHARD said he could explain the existing difficulty, and he would do so the more readily from the fact that in previous sessions he had taken great pains to effect the separation, and because the organ of the temperance body had gone out of its way to make a personal attack upon the member for Richmond and himself. The House had distinctly refused to make such an enactment as would compel the separation in the city, and had decided to leave the matter in the hands of the City Council. The provision for the general license still remaining, he and other gentlemen had been applied to for advice, and had given it as their opinion that the old general license could be granted. The fault did not lie with the House or with the Committee on City Bills, but no form of general licenses being specified, the law had become inoperative. If the House chose to take the matter out of the hands of the City Council, and to dictate what licenses should be granted, he would have no objection.

Hon. Mr. SHANNON referred to the attempted alteration of the city license law last year.

Mr. ARCHIBALD remarked that the town of Pictou was also excluded from the operation of the general law. Such legislation was not adapted to the wants of the country, and he did not see why these exceptions should be made.

Mr. MILLER said that as the organ of the Temperance body had been referred to, he would say a word on the subject, though he felt surprised that the hon. member for Inverness had thought it worth while to refer to it.—That paper would seem to insinuate that that gentleman and himself were occupying a position inconsistent with their legislative duties in being retained by any body of persons. The facts were, that after the passage of the law, a number of gentlemen called upon them for advice, and, in discharge of their professional duties, that advice was given. A journal which went out of its way to make an insinuation that the retainer had been accepted in a legislative capacity, was not likely to promote the objects it had in view. He did not think the proposed separation a wise policy, and had heard no argument advanced in its support that was entitled to a great deal of weight.—That had been his opinion of the matter long before the Grocers' and Liquor Dealers' Association had been in existence.

Mr. ARCHIBALD said he had been desirous that Mr. Blanchard should have an opportunity of explaining his position in reference to the matter, and was glad to find that that gentleman's views coincided with those of the promoters of the change, and with the views entertained by the great majority of the people. The hon. member for Richmond entertained different sentiments, and he was entitled to hold these, and to give an opinion upon the law without the imputation of improper motives. He trusted that the observations to which these gentlemen referred would not prevent them from carrying out their convictions as to the course which should be adopted; but so far from thinking that the latter gentleman was right in treating the organ of the Temperance body with contempt, he considered a paper fighting in the cause of Temperance and morality, against such opposition as it must have to encounter, should be referred to with respect. He had never seen anything in that paper to lead him to think it other than the organ of a very large influential, and respectable class of people.

Mr. TOBIN said he had never considered this a question with which the House should deal; it was a matter for the the City Council and the Sessions, because the Province derived no revenue from the licenses. The Mayor and Corporation of the city were entrusted with matters far transcending this in importance, and they should be the judges of what was a good license law. He thought the conduct of the citizens of Halifax was as orderly as that of any other people in British America or the United States. The leader of the Opposition had once contended that the country should be governed by cold water principles, but that gentleman seemed to have changed his opinions, and to have come to the conclusion that hot piety and cold water were not best after all. Even the Chairman of Railways would admit that something besides cold water was necessary in his

department. The law which had existed up to last session imposing heavy fines upon persons selling liquor without license, was an instance of a law which was too stringent to be carried into effect.—and as to the expediency of the separation clause, very great doubts existed in the community.

Mr. ARCHIBALD said he did not see why authority should be given to the City Council to deal differently with the community of Halifax from any other portion of the Province.

The bill was read a first time.

MISCELLANEOUS.

Mr. S. MACDONNELL presented a petition from Inverness against the Union of the Colonies.

Also, a petition from the same county, asking the establishment of a daily mail to Port Hood and Margaree. This petition he urged very strongly upon the notice of the Government, alluding particularly to the fact that a daily mail now crossed the Gut of Canso on its way to Sydney.

Mr. LONGLEY, in accordance with leave previously obtained, introduced a bill in reference to a public landing at Paradise.

RAILWAY DAMAGES.

Mr. D. FRASER presented a petition from certain inhabitants of Pictou, praying for an alteration in the 70th chapter of the Revised Statutes, respecting Railways.

Mr. ARCHIBALD called attention to the propriety of taking the petition into careful consideration, and expressed his opinion that the power given by the law to cut down timber, &c., for public purposes, should be carefully restrained. No individual should be more overridden than is absolutely necessary for the promotion of the public interests.

Mr. D. FRASER introduced an Act to amend chap. 70 R. S., in accordance with the prayer of the petition.

Hon. PROV. SECY. said that he hoped that the hon. member would be able to suggest a means by which the interests of the public, as well as those of private individuals, would be equally protected. He was not prepared to say that sub-contractors might not occasionally take a course under the present law, which would be exceedingly inconvenient to the owners of private property, but the proper time for parties to remonstrate was when the Railway Act was being passed. The House should not forget that an expenditure of \$2,000,000 was now going on for a great public work, which, whilst of undoubted advantage to the whole Province, would especially benefit Pictou, and largely increase the value of property within miles of the railway. Under such circumstances he thought it strange to see persons objecting to incur a small amount of inconvenience in connection with a work which was to be of such signal advantage to them. He had no objection to the introduction of the bill, though he would like to see how the public as well as private interests were to be at the same time protected. He had heard of parties who had combined to put a price of 60 cents upon railway sleepers, and yet had sold them subsequently for 10 cents to the parties who actually got the contracts. It was as well to understand whether those engaged in the construction of our Railways were to be called upon to pay inordinate prices through such combinations.

It should be remembered, too, in considering the present question, that contracts had been entered into for railways to New Brunswick and Annapolis, and the counties through which these lines would pass would be obliged to bear the damage for the right of way and the property required, as under the existing law. If the law was altered without due consideration, great inconvenience might arise in connection with the construction of these great public works.

(A message was received from the Legislative Council, stating that they had agreed to the following bills without amendment:—

To incorporate the Acadia Lodge of Freemasons at Pugwash.

To amend the act incorporating the Boston and Bridgeport Coal Company.

Also to the following bills with amendments: To incorporate the New York and Cape Breton Coal Company.

To incorporate the Collins Coal Company.)

Mr. ARCHIBALD said that he had it brought to his notice that the existing law did operate injuriously to many private individuals. In amending the law, the House would be only transferring the burthen from the parties who now suffered to the counties which ought to suffer. A man through whose land a railway went might be grossly injured beyond the amount that he received in the way of compensation from the public. He knew of instances in the neighborhood of Truro of farmers who had been very far from receiving adequate compensation for the damages they had sustained. Every caution possible should be exercised in dealing with the rights of property, and in no case should they be over-ridden except where the public interests imperatively demanded it. He had no hesitation in saying that the present law was arbitrary in the extreme, and could only be paralleled in despotic countries like Russia and Turkey. He also pointed out the fact that even the present law had been considerably amended from what it had been originally. Of course, as we obtained experience on the subject, we were enabled to see in what respects it required amendment and improvement.

Hon. ATTORNEY GENERAL replied that the hon. gentleman, who declared the act to be so iniquitous, had had as much to do with its introduction and passage as any one in the legislature. Much misapprehension appeared to exist respecting the nature of the law; its object was to assist the government in carrying out great public works, without embarrassment from combinations of individuals. A similar regulation existed in all countries where public works are carried on, and its necessity was obvious to any one who considered the subject with any care. He had not heard any evidence to show that the parties in question were especially injured, or were not to be remunerated for what damages they had received. He wished to know the specific character of the injuries received before applying a remedy. If it could be shown that they had incurred a large loss, and had not received a due equivalent therefor, then the matter would stand in an entirely different position. His own experience was that no individual, who could show that he had been unjustly used, would fail to receive justice at the hands of the legislature. And he added that the Government would never sanc-

tion any arbitrary and unjustifiable use of the law on the part of its employees.

Mr. TOBIN expressed his surprise that such complaints should come from a county so especially favored as Pictou. No member in the House had done more to extend the railway to that county, and he therefore regretted to see the course that was now being pursued by certain parties. After years of agitation, the province had made itself liable for a large expenditure for the especial advantage of Pictou, and he thought, under the circumstances, the people of that county should be more generous, and not endeavor to obstruct the construction of the line. There might be cases of hardship in consequence of railway contractors being forced to enter upon private lands,—there might be even wantonness on the part of these contractors, but these cases had not been shewn. He did not think the necessity for any amendment had arisen, but believed that the law was sufficient to protect the rights of individuals, for it enabled them to have an appraisalment of the damage they might sustain.

Mr. S. CAMPBELL expressed his regret that the petition had ever been sent up to the House. As one who had supported the extension of the railway to Pictou—as one representing a constituency not directly benefited by that line—he thought the people of that county should rest satisfied with the advantages it had already received from the Legislature, without raising such trivial demands.—They were called upon to suffer the same inconveniences that individuals were in connection with the making of a public road. Every individual must give up a certain amount of his rights for the public advantage. He did not see what the petitioners had to complain of, inasmuch as they were enabled by the law to have an appraisalment made of the injuries received. If the line of railway were extended to Guysboro', he was quite satisfied that the people would make no such complaints.

Mr. LONGLEY was glad to hear such sentiments expressed by gentlemen on both sides respecting the complaints made in the petition; and expressed his opinion that the law gave such individuals sufficient protection when it enabled them to appoint one of the appraisers to estimate the value of the extent of damage incurred. He did not think it all becoming for the people of Pictou to make such complaints under existing circumstances. He did not wish to say anything that might exasperate the public mind in Pictou, but he had certainly heard rumors of obstructive measures pursued by certain parties in that county, that did not exhibit the existence of a very proper spirit. As far as the Government were concerned, they had all along acted with the most sincere desire to promote the construction of this great public undertaking by all the means in their power.

Mr. D. FRASER replied that there was not one word in the petition against the Government; all that was asked was an amendment of the law,—and surely the individuals who petitioned were worthy of a hearing, at all events. He was surprised to hear it stated that the whole of the county of Pictou was interested in the present question,—it was actually only a small settlement. He maintained that these parties had been hardly dealt with: they had only small pieces of land, and had been

denuded of valuable wood which they had been carefully preserving. He had been a contractor on the railway himself, but he had never allowed one of his men to go outside of the line for sleepers or fences—for he believed that was really trespassing; but everybody, he knew, did not act in the same way. As respects the case referred to by the Provincial Secretary, the real fact was that the gentleman owned a valuable tract of wood, and rather than allow the contractor to go upon and destroy it without discrimination, he offered to supply all the sleepers at ten cents each. He knew cases in the county of Pictou of individuals going upon private property, miles away from the railway, and cutting down fence material. He trusted that the House would consent to make the law more explicit.

Mr. BLANCHARD said that some of the gentlemen who had addressed the House appeared entirely to misapprehend the question. It was not the people of Pictou who made these complaints, but a small portion of them. These parties asserted that the law had operated most injuriously to them, and asked the House to provide a remedy. According to the petition, one complaint was that lumber had been carried away, and that it consequently became impossible to appraise the damage sustained. Within the past year, the Solicitor General had given it as his opinion that a man could go and take fencing, and it was therefore very necessary that the law should be defined. In the county of Pictou they had actually gone and taken stone twelve miles beyond the track of the railway. Any one who looked at the names on the petition would see at once that there must be good reasons for such a petition having been sent to the Legislature.

Mr. MCKAY expressed his opinion that the law now on the Statute Book required some amendment, and that there was already sufficient evidence before the Railway Commissioner to prove it. On Saturday he had received a letter from persons on the line of railway, stating that sub-contractors of Mr. Fleming were going round and telling parties that unless they furnished sleepers, cordwood, and fencing, without delay, men would be sent to take such articles. He was surprised that the Railway Commissioner, with such facts before him, should use such language as he had that day. The railway was of undoubted benefit to Pictou; but it was not a local, but a great and necessary Provincial work. Justice should be done to all parties who could make out a fair and legitimate case. Individuals who had small tracts of land, and a little wood on them, were the real sufferers.

Hon ATTORNEY GENERAL said that he had not made a single reference to the county of Pictou, but simply alluded to the rights of individuals. He never denied the principle that, although private individuals must at times yield to urgent public necessity and for the good of many, yet their rights should be touched as little as possible. He was quite satisfied that the Government would not sanction any illegal. He was free to say that there might be hard or unjustifiable acts on the part of a contractor. ship arise, when a little temperate conduct on the part of contractors would save the property of an individual from unnecessary damage, and still do no injury to the public service. Every

one knew that where an arbitrary power was given to an individual, he might exceed it at times. He was inclined, however to think that the present law was sufficiently comprehensive to cover all these difficulties. No one however, wished to prevent investigations into the question.

Mr. ARCHIBALD stated that on the face of the petition it was mentioned that valuable, even line trees, had been cut down. Could any one say that every measure should not be taken to prevent arbitrary conduct on the part of sub-contractors? All that the petitioners asked was that there should be a restraining power in the law. No one said that the Government desired to use a tyrannical power in this matter; but it should be remembered that the law was introduced in the infancy of our railway system. Now, additional experience had been gained, and it was well to frame the law by the light of that experience.

Hon. PROV. SECRETARY said he hoped there was no disposition to embarrass the Government in respect to the Pictou Railway, but certainly the course taken by the hon. leader of the Opposition was hardly worthy of a gentleman occupying so onerous and responsible a position. That hon. gentleman had himself undertaken to alter the law, and yet on the first note of clamor he declared it was a most tyrannical and arbitrary measure. All he (Dr. T.) wished to know was how the law could be amended without injury to the public interests. So great had been the obstruction in the way of obtaining sleepers that, at this very moment an effort was being made to obtain them from the neighboring Province—a very strange fact in a country like this. Under these circumstances it was necessary for the House to act with great circumspection. No one could deny that persons for ten miles around the line of railway were benefitted more or less. He did not doubt that ignorant and unprincipled men did, at times, go beyond the law, but yet no Government could prevent it.

Mr. ARCHIBALD said that he had not denied the necessity of protecting the public interests, and had not attempted to raise a discussion at what the Provincial Secretary called a critical period. What remarks had been made had arisen from the opposition that had been given to the consideration of a legitimate petition.

The subject then dropped.

Hon. PROV. SECRETARY laid on the table the application of the Society of Natural History for aid in publishing the reports of the proceedings. This association, he stated, had already done a large amount of good in calling attention to the natural resources of this country.

The petition was referred to the Committee on Printing and Reporting.

The House then adjourned.

TUESDAY, March 13, 1866.

The house met at 3 o'clock.

BILLS.

The house proceeded to consider the amendment proposed by the Legislative Council in the bill in reference to the New York and Cape Breton Coal Mining Company. The alteration was the striking out of a clause which extended the liability of shareholders to the period of six months after disposing of their shares.

Hon. PROV. SECRETARY said that if the insertion of this clause were not usual and if it prevented the stock from being readily taken it should be omitted, but if a settled policy on the subject had been adopted it should not be departed from without deliberation. He had always been of opinion that a most liberal policy should characterise the legislature in dealing with these bills and had always strongly advocated the limited liability clause. It would appear also that the house had passed a number of such bills without the clause, which was struck out in the upper house.

Mr. ARCHIBALD said he understood that some of the companies now applying had obtained acts of incorporation in previous sessions with the insertion of such a clause, and they now sought a limitation of the liability; whether this was the case or not, he thought that if any bills had been passed without the clause it was unknown to any member—when holding the office of Attorney General he had felt it his duty to watch this species of legislation narrowly. The effect of passing an act of incorporation without charging this liability upon the shareholders would be that a bogus company could be organized and a shareholder to the amount of \$100 after paying \$1 could transfer his shares to a sham person and thus rid himself of the liability which had been incurred partly upon the credit of his being connected with the company.

Hon. ATTY. GENL. said he did not consider it the duty of the Crown Officers any more than of other members of the house to watch this legislation—if such were the case the government would be responsible for the action of the house. The duty of guarding the interests of the public in enacting private bills had been entrusted to a committee, and until he saw some proof of their neglect he would not deem it his duty specially to interfere. It was clear that no stricter rule should be applied to one company than another, and it was possible that in guarding the rights of the public too great restrictions might be applied; he remembered in one case a member representing that the strictness of the existing provisions were so great that capitalists would not incur the liability of investing in our mines, and thereupon a debate had arisen on the policy first adopted in France and then in England of limited liability. From that time more liberal views were adopted, resulting in the provision that no shareholder should be liable for more than the amount of stock for which he had subscribed. He could not conceive any reason why a company should object to such a clause as that which had been inserted and struck out by the upper house.

Mr. BOURINOT regretted that the action of the upper house in limiting the liability of the shareholders did not meet with more favourable consideration. After being debated by that body for some time, it had been agreed to with the concurrence of the Solicitor General.

Mr. TOBIN said that applications were made at every session for acts of incorporation, and it would be found that out of about thirty mining companies in Cape Breton and Nova Scotia, only nine or ten carried on operations to any extent. The policy of the legislature had been to afford every encouragement to parties engaged in those enterprises, and very few checks and guards had been erected to

secure the public against the evils of mere speculation. It would not be doubted that there were many persons connected with these companies who would disconnect themselves from them as soon as they were organised. The clause under discussion he considered one that was wise, and that should be retained, and if any bills had passed without its insertion, it had been without his knowledge. Many of the companies that had obtained acts of incorporation had not raised a cargo of coal, and the only one carrying on important operations in Nova Scotia was the Albion Company,—some of them also after unsuccessful attempts to float their stock in the United States, had endeavoured to put it in the market here, and it should be remembered that capitalists in the States did not invest from any desire to improve the condition of the country, but merely as a speculation, to be abandoned unhesitatingly if it failed to make an adequate return.

Mr. BOURINOT remarked that several Companies, as was stated in the debate in the other House, had obtained their acts of incorporation free from any such restrictive clause, and if the clause were insisted on in the bill under discussion, he would take care that all companies be henceforth placed on the same footing. The hon. gentleman who had preceded him had made a number of rambling statements concerning the operations of the various companies, but a reference to the figures would have shown him that out of 600,000 tons of coal raised in the Province during the financial year, 400,000 had been raised in the County of Cape Breton, shewing that these companies instead of being bogus were bona fide organizations of persons who were ready and willing to embark their capital in developing the resources of the country. Had the gentlemen thus engaged depended upon Nova Scotian capital and enterprise not a mine would have been opened—they came to Halifax and sought in vain for encouragement among the capitalists of the city, but when they went to the United States they found persons willing to embark in the undertaking, after which persons here were only too glad to obtain the stock. Under these circumstances it ill-became a gentleman representing a large mercantile city to make such allusions to the most important resources of the country. On investigation it would be found that the Acadia, the Block House, the Caladenia, Glace Bay, the Clyde, the Collins, the Glace Bay, the International, and Mira Bay, were all conducting extensive operations. Out of the great number of companies whose bills he had introduced only two or three had not gone into operation and those would soon be organised. Before any gentleman undertook to cast a slur upon the credit of these companies he should have made himself better acquainted with the facts than the hon. member for Halifax appeared to be.

Mr. PRYOR said that on finding that the clause had been omitted in the bill under consideration he suggested its insertion, knowing that after solemn argument and deliberation the house had decided that such a provision should be contained in all such bills.

Mr. MILLER said he principally rose to ask whose duty it was to take charge of the legis-

lation of the House? It had been stated and not denied that bills had passed without the provision under discussion, and the Solicitor General had stated that none of the bills passed for some years had any such clause, although the house had decided that it should be inserted in all of them. He had always understood that that duty devolved on the Attorney General, and he knew that when the member for Colchester held that office no measure was allowed to pass without his supervision;—the predecessor of the present incumbent also, although so far advanced in life that the unremitting toil and attention so required could hardly be expected from him, had displayed great activity and vigilance in this respect. One would be inclined to think, from seeing the attention given to the legislation by the leader of the Opposition that that gentleman was the Attorney General. It was but right that there should be some understanding as to whose duty it was to see that the private Acts did not conflict with the existing laws or with the general policy of the Legislature.

Mr. TOBIN, in reply to Mr. Bourinot, said that gentleman had failed to enlighten him by his references to the companies,—it would be seen that the Caladonia Cow Bay Company had not raised a bushel of coal, the Clyde company had followed suit and the Mira Bay company had not raised enough to load a small schooner. He said it would also be found that the skill and enterprise engaged in these operations was not altogether American, but on the contrary was chiefly Provincial. The House should be careful not to afford facilities for American gambling speculations.

Mr. BOURINOT said that when a member undertook to correct statements made by another he should have made himself more conversant with his subject than the hon. member for Halifax appeared to be. It would seem as if that gentleman had heard something somewhere and wanted to say something without knowing what it was. He (Mr. B.) had shown the house in his previous remarks that the hon. gentleman was inaccurate in his conclusions.

Hon. Mr. MCFARLANE said that looking at the general operations of the Mining Companies he did not think the insertion of such a clause necessary. The original insertion of such a provision had no connection with our coal mines, but with an iron mining company that exploded, leaving their liabilities undischarged—no such case had occurred for years, and there seemed to be no ground for complaint in connection with present mining operations. There was much to be said in favour of the rejection of the clause,—for instance, suppose a party went to Britain and made a proposal for the sale of stock—the capitalists would see that if they invested £500 they would be liable for the previous debts of the company, and would hesitate long before going into the speculation. It was an unwise policy so to trammel a bona fide Company that would have to incur large outlay in organising. All the security that could be required would be the mineral remaining under the soil.

Mr. BLANCHARD said that when he came into the House no company could be incorporated without every member being liable for double the amount of his stock. Subsequently a number of warm debates arose on the sub-

ject, and the present Equity Judge had been a warm opponent of adopting a less guarded system, arguing that a shareholder might, by transferring his shares to a pauper, avoid the liabilities incurred. After much discussion the house came to the conclusion that the liability should be reduced to the single amount of the shares, on condition that the shareholder be liable for six months after the transfer. A well known capitalist had said that in embarking in a scheme he was willing to risk all that he subscribed, but not a shilling more, and this provision it was reasonable for any company to ask; but looking at the real operation of this clause, it would be seen that it only rendered a man liable for the debts which he himself had incurred. If any company asked a greater indulgence, it would appear to him to be a ground of suspicion.

Hon. Mr. SHANNON said that in 1864 a large number of these bills came up for the first time, and it was decided to have a model bill drafted, and it was framed by the present Equity Judge. Last year, when the bills came up, it was always asked whether they accorded with the model bill, and on that guarantee they passed. If a settled policy had been adopted in this respect, he did not see why it should be changed.

Hon. ATTY. GEN again argued in favour of the adoption of the legislation in question. It was not the fact that the capital was all paid up, but the responsibility of the shareholders that gave the public confidence. He had occasion to inquire into this matter, when recently in England, and was told that the less there was paid up the greater security had the public. It was not the policy of the house that a large amount of capital should be paid up. When the Legislature did not ask that all the capital be paid up, it considered it necessary that the creditor should have another guarantee—that each shareholder should be made liable for six months after the transfer of stock. He thought under all the circumstances therefore the clause should be kept.

The amendment was accordingly negatived. The Collin's Coal Mine Company Bill was next taken up and disposed of.

MISCELLANEOUS

Hon. PROV. SEC. laid on the table the report of Professor How on certain minerals found by Dr. Honeyman.

Also, the report of the Engineer of the St. Peter's Canal.

Mr. MILLER requested that the latter report be published for the information of his constituents as he had received complaints that the work had not been properly carried on.

Hon. PROV. SEC. said that the report had to be published in the journals, and could therefore be printed as the hon. gentleman wished without entailing any additional expenses.

THE ESTIMATES.

Mr. ANNAND referred to the necessity of having the Estimates down at as early a period as possible. Last session, though they involved the expenditure of an immense sum of money, they were brought down at a very late date, and the house were altogether unable to give them that attention which was absolutely necessary for the protection of the public interests. This year particularly it was due to the house that the Estimates should be brought down without delay. Gentlemen, in view of

the present crisis, should have ample time to consider these papers which always preceded the action upon the tariff.

Hon. ATTY. GEN. replied that measures were being taken with as little delay possible to lay the Estimates on the table. The hon. gentleman would see that the government would not only have to consider the amount of expenditure for the present year, but also the altered circumstances of the country arising out of the abrogation of the Reciprocity Treaty. The duty, therefore, that now devolved on the Financial officer was of a far more onerous character than it had been for the past ten years.

PETITIONS OF RAILWAY CONTRACTORS.

Hon. PROV. SECY. laid on the table the petition of D. Cameron, late Railway contractor, for remuneration for certain services performed. Also, the petition of D. Grant, and M. McLeod, in relation to the contracts which they recently had on the Picton Railway. He explained that the first petition was an application to the Government, but the other two were sent to the members of the county for presentation to the House. These gentlemen, however, in accordance with the rule respecting money petitions, had handed them to the Government who, being desirous of giving the petitioners every opportunity of asserting what claims they supposed they had, now laid them on the table for the information of the House. On a former occasion, he had stated that the contractors had all been settled with to their entire satisfaction: the grounds for that statement were contained in the papers which he also laid on the table. He moved that all the documents be read, and then they might be appropriately referred to the Railway Committee.

MR. ARCHIBALD said that the present petitions were of no ordinary character, and the propriety of so referring them might be questioned.

The papers were read by the Clerk.

Hon. PROV. SEC. said that now it would be seen that he had abundant reason for the statements he had made on a previous day. It was not pretended by the contractors that they had not been paid in full for all the work they had performed, but they claimed that they undertook the contract at a smaller amount than they could possibly do it for. He believed that that statement was correct, and that some of them had sustained a considerable loss in consequence. Of course the Government could not entertain any such claim for a single instant; they had discharged all legal demands upon them, and there their duty ended. They did not wish, however, to shut these men off from having their case placed before the Legislature.

MR. LOCKE said that these papers, if referred to the Railway Committee, would give them more work than they could perform during the present session. He thought the Government should assume full responsibility in the matter, and not attempt to throw it upon the House.

MR. ARCHIBALD said that the moment the government brought down these papers and asked to have them referred to the railway committee, they admitted that these men had some ground for the application they made; it

came endorsed as it were by the approval of the government. He was of opinion that the government should have assumed the full responsibility of deciding on the claims. If they decided these parties had no right to remuneration and put down nothing in the estimate, then the gentlemen interested could bring the subject up in the shape of a resolution.

MR. STEWART CAMPBELL said that the proper course to pursue was for the government to assume full responsibility in the matter, and if they decided on rejecting the prayer of the petitioners, then the matter could be brought to the notice of the house by a resolution. He was not disposed, for one, to recognize extras, whether connected with the construction of railways, or bridges, or roads throughout the country. If the principle were sanctioned, it would never end; parties would be coming up time and again to the house and asking for remuneration because they had taken contracts too low. He thought it was full time that the government should assume some degree of responsibility in connection with public questions. He had hoped that the Provincial Secretary would have been prepared, after all he had said in times past, to pursue a very different course to that he was now following. At present the country had a government that claimed to be responsible for nothing. The house was now to be the tribunal for the decision of questions that should be decided by the government.

Hon. ATTY. GEN. said that it was quite obvious that any course whatever that the government might pursue would meet with the disapprobation of gentlemen opposite. If they had done what gentlemen said they ought to have done, a clamour would have been immediately raised. The government did not consider themselves justified in considering these claims—all that they could do was to bring them to the house, and explain their character. The petitions had been handed to the government in accordance with the rule of the house, and they now laid them on the table. The government had settled all legal demands upon them, and could now only lay the case of the petitioners before the house for its decision whether they had any equitable claim to consideration. He did not say there was anything in these claims, but the government could not be justified in preventing these men being heard. He believed that these were the only cases of a similar character that could be presented to the house. He had learned on going over the railway that the contractors had entirely mistaken the character of the soil; it was most difficult to work, more so than even stone. Hence the claim of the petitioners.

MR. BLANCHARD had hoped that the government would not bring up the troublesome question of extras, but that the house had long since heard the last of them. He had certainly heard with surprise the statement that because a man made a mistake in taking a contract, he had a right to come before the Legislature and ask for remuneration. During the first session he had been in the house a person came to ask for remuneration for a certain work near Halifax, but his petition was not listened to. He trusted that the house would be very careful before establishing any principle which would be likely to operate prejudicially to the public interests.

Hon. PROV. SEC. said that he had stated frankly at the commencement that the government had rejected these claims as far as they were considered. All that they wished was that the parties in question should not be deprived of the liberty of stating their case to the House. If they had been disposed to entertain the prayer of the petitions, the matter would not now have been brought up. The danger of making any precedent in such cases he fully appreciated; and it was very probable the house would adopt such a view. The contractors were one and all under the deepest obligations to the government for having relieved them of a work which would have entailed upon them most serious loss. He added, in conclusion, that the government thought it proper, in view of the approaching debate, to lay these papers before the house with as little delay as possible.

The documents were allowed to lie on the table for the present.

PETITIONS.

Mr. CHURCHILL presented a petition from Newport and Avondale for a bridge, and urged the desirability of the undertaking.

Mr. MILLER presented the petition of R. S. Morrison, Postmaster at St. Peter's for additional remuneration; the petitioner had given entire satisfaction, and his present salary, £16, was entirely inadequate to the amount of work he had to perform. Also the petition of inhabitants of St. Peter's Island asking for a way office at that place; the present arrangements were most inconvenient to people of that locality.

Mr. C. J. CAMPBELL presented the following petitions:—

One from inhabitants of Bedeque, asking for a repeal of the law of '62 in respect to union of Presbyterian churches.

Another on the same subject from Middle River.

One from the inhabitants of Red Head, asking for road money.

One from inhabitants of Bedeque River, asking for aid towards a road.

Mr. HILL presented a petition for the establishment of a Way Office.

Mr. S. McDONNELL presented a petition from the Post Master of Margaree for an increase of salary.

Also a road petition from Ship Harbour.

Mr. LONGLEY presented a petition from New Albany in favour of assessment for the support of schools.

Mr. ANNAND presented a petition on the same subject from Middle Musquodoboit.

Mr. KAULBACK presented a petition from William McGrath for a road and bridge to connect with Annapolis County.

Also a petition from New Ross for an increase of pay to the courier.

Mr. PRYOR introduced a bill relating to the attendance of jurors at the sessions of the county of Halifax.

Mr. COLIN CAMPBELL presented a petition from Wm. Warren and others, for an increase of salary.

MISCELLANEOUS.

Hon. PROV. SECY. laid on the table information asked for by Mr. Hebb on a previous day in reference to the Inspector of Schools for Lunenburg county, showing that that

officer's salary had been from May 1864 to January last, 5 per cent. commission on grant..... \$200 71.
School Visitations 286

Total.... \$576 71.

Hon. PROV. SECY. moved that Mr. James Fraser be substituted for Mr. Caldwell on the committee of Mines and Minerals.—Passed.

The House then adjourned to the following day at 3 o'clock.

WEDNESDAY, March 14th 1866.

The House met at 3 o'clock.—A call of the house was had.

Mr. ALLISON, pursuant to leave, introduced a bill for the relief of Geo. W. Beamer.

PETITIONS.

Mr. BOURINOT presented a petition from Laughlan Robertson, J. A. More and others, inhabitants of North Sydney, in favor of assessment for schools.

Mr. JOST presented a petition asking that LaHave be established as a port of entry.

Also, a petition for a bridge across LaHave river.

Mr. S. CAMPBELL presented a petition for aid for a road between Goldenville and Sherbrooke.

Also a petition for aid to make a road from Sherbrooke to Wine Harbour, which, he said, was most deserving of attention as being connected with the gold mining interests of that part of the country.

Also a petition for aid to a road to, and for aid for, the establishment of a new settlement on the border of Guysboro' and Halifax Counties.

Also, a petition for aid to remove obstructions in St. Mary's River.

Mr. HILL presented a petition from Postmaster of Windsor asking an increase of salary.

Mr. PRYOR presented a petition asking aid in the construction of a road from Peggy's Cove to Dover in the Western district of Halifax county, and very strongly urged the claims and requirements of the petitioners.

A message was received from the Legislative Council, announcing that that body did not adhere to the amendment proposed by them in the bills to incorporate the Collin's Coal Company, and the New York and Cape Breton Coal Company.

Mr. ROSS presented a petition for a grant to a road leading to St. Ann's Harbour.

Mr. KAULBACK presented a petition from 350 residents of Chester, praying for the erection of a lighthouse on Chester Ironbound Island.

Also a petition from 200 inhabitants of Mahone Bay, praying for the same object.

Also a petition from 150 residents of Tancook, Western Shore, and vicinity, on the same subject.

Also, a petition from 70 inhabitants of Bayswaters, praying earnestly for the same object. He explained the nature of these petitions, and strongly urged the matter upon the notice of the government, remarking that similar petitions had been favorably received some years ago, but were unsuccessful owing to the then financial condition of the country.

Mr. PRYOR took this opportunity of urging the erection of a lighthouse at Peggy's Point.

MINING LEASES.

Mr. TOBIN presented a petition from Jas. A. Moren, on behalf of the Glace Bay Mining Company, setting forth that the limitation of the coal mining leases prevented extensive investments and durable erections in connection with our coal mines.

Hon. ATTY. GENERAL said that this subject was one of great importance, and since he had brought it to the notice of the house some days ago he had considered the question in all its bearings, and was satisfied that the true interests of the country required that the legislature should deal with it as speedily as possible. Attempts were being made to induce capitalists in Britain to invest in mining operations, and the present time was therefore most favourable for the discussion. It might be said that the right of the legislature to deal with the question in 1886, when the leases expired, should be reserved, but that could only be done by the sacrifice of the public interests in the meantime, because the period was shortening every year, and each year added to the difficulties that were to be encountered. He would lay on the table some documents from which it would be seen that when the propriety of these investments had been referred to eminent Solicitors in London, they had reported directly against any parties in England advancing largely in such speculations, and when it was stated that these Solicitors were also the Solicitors of the Bank of England the value of their suggestions would be recognised. When this fact was accompanied by a remonstrance to the same effect from gentlemen in Halifax associated with United States capitalists, the necessity for dealing promptly with the question would be apparent. In the case of a company working from hand to mouth in a state of uncertainty as to their security, their stock must necessarily in the course of a few years go down, because of the reluctance to invest in such fluctuating property. The house had been alive for years to the importance of the mining interests of the Province, and had strenuously endeavored year after year to break down the odious monopoly which was once in the hands of the General Mining Association; and had succeeded in making such arrangements as to throw open the great bulk of our mines and minerals to competition. The benefits of this course had since been perceived, but if, after that change matters had been in such a state that parties could not securely invest, the mines would still have been unprospected and unopened. It should be remembered that coal mining was an expensive operation, and the article had to be produced at a low rate in order that a competition with the world could be maintained; if the mines were merely worked for home consumption, if a few thousand tons only were required and the employment of the industry of the country in developing these resources and in operating in the various branches of trade which they fostered were not desirable, no very large amount of capital would be requisite but the existing circumstances were very different. When the arrangements made with the General Mining Association were under discussion, it was contended by some that a good bargain had not been made because the royalty had been lessened. In

reference to that he would say that many held that the principles of taxing the production of the raw material in any shape was contrary to sound principles, especially where the article was intended for competition in other countries, contending for the maxim of political economy that it is bad policy to tax in any country the productions of an article that can be depended on for the employment of industry and for exportation. The policy of the country in this respect had, however been settled, and a stipulation made with the General Mining Association to the effect that the same amount of royalty which they paid should be demanded of other companies; since this had gone into operation he had not heard many persons say that sixpence a ton, and fourpence above a certain quantity was too much or too little. If however the legislature should come to the conclusion to extend the period of the leases the arrangements respecting the royalty might also be revised. For the purpose of eliciting the opinions of members upon these questions he moved that the documents be referred to the Committee on Mines and Minerals.

Mr. BOURNOT said he was glad that attention had been called to this matter—it had been his intention to introduce the question if no other member had done so, as he had in his possession information which showed that not only English but American capitalists were disinclined to embark in our mining operations under the existing state of things, and it was not to be wondered that they hesitated in expending the millions of dollars required in an investment that would terminate at so early a period. He wished to call the attention of the house particularly to the fact that no member from the Island of Cape Breton was on the Committee on Mines and Minerals.

Mr. ARCHIBALD strongly condemned the proposition to deal with so important a question in so insignificant a manner. When the Legislature in 1857 made the bargain with the General Mining Association it was considered that the province had surrendered enormous privileges, but the arrangements were made and the tax was laid upon the export of coal under the feeling that the mines were thereby to be freed from a monopoly; it was also known that the whole matter would be subject to revision, and the great argument used by the Association was that their leases were to expire in twenty years, and that a higher rate of royalty might be imposed. Last year about 694,000 tons of coal had been raised, producing a revenue of \$69,000,—that was a handsome revenue, but supposing the mines to be relieved from the monopoly, then the amount would have been \$200,000. Where had the balance gone? A large portion of it had gone to make the fortunes of those gentlemen who, out of a purchase of about \$50 had become millionaires and were deriving an enormous yearly rent. In view of these facts the importance of the subject would be recognized; and while there was much force in the remarks of the Solicitors to whom the matter had been referred, and while the body of the house would probably decide in favour of giving a reasonable security for the continuance of the leases, it might be well to consider whether a moderate remuneration should not be reserved.

BILLS.

The Gentleman Usher of the Black Rod commanded the House to attend His Excellency in the Council Chamber. Upon the return of members, the Speaker announced that His Excellency had assented to the bills relating to the Windsor and Annapolis Railway Company, the New York and Cape Breton Coal Mining Company, the Collins Coal Mining Company, the Boston and Bridgeport Coal Mining Company, and the Acadia Lodge of Freemasons.

MINING LEASES.

Hon. PROVINCIAL SECRETARY said that the importance of the question could not be overrated. Members had not been taken by surprise in the introduction of this discussion, because the papers had been laid on the table some days before. He was quite prepared to take the responsibility of expressing fully his views and opinions, and, at the same time, was quite prepared to modify these on the production of any sound argument at the other side. Instead of making a specific motion on this subject, he thought the matter might be dealt with best by eliciting a full expression of opinion on the part of members, and then by a reference to committee, without any one being pledged to any particular course. The committee could then report on the adoption of a policy, and, if required, an act could be brought in to modify the existing system. He did not hesitate to say that he thought it would be a wise policy, and that the time had come when the House should pursue that policy, to largely extend the period of these leases, and to extend them on the terms now in force. He had been much impressed with an expression of Mr. Howe some years ago, when this subject was under discussion,—that gentleman had said that, in his opinion, it was no more rational to tax coals at the mouth of the pit, than it would be to tax turnips or potatoes when the farmer was taking them from the earth, and that it was the true policy to afford every possible facility to the development of our resources.—It was only because the Legislature and the Province required to raise a revenue from that source that the action of the royalty was justifiable. Upon a suggestion for the postponement of the debate, the hon. gentleman here concluded his address.

Mr. TOBIN said that the system of granting mining licenses also required consideration.—Some persons were in the habit of applying at the Receiver General's office and obtaining licenses to prospect over as great an extent as five square miles of country, and without moving a peg they allowed other persons to discover the mines if there were any, and then they threw their net over the property and claimed it as their own. It would be matter for consideration whether they should not be obliged to search within a given time and to make return to the Inspector of Mines. Persons getting leases to mine also frequently caused inconvenience by occupying a long period in organizing a company, and a property worth about \$200,000 was sometimes valued at a million, and an attempt then made to float the stock. Serious complaints had arisen on these points.

Hon. ATTY. GENERAL suggested that Monday next be appointed as the day for discussing the subject.

This proposition was agreed to.

Mr. BOURINOT again called attention to the present *personnel* of the Mines and Minerals Committee. He suggested that Mr. S. McDonnell's name be added. After a brief discussion Mr. Bourinot's name was added to that committee.

THE EDUCATION BILL.

Hon. PROV. SEC. moved the order of the day, the bill "to amend the Act for the better encouragement of education." In doing so he suggested to the House the advisability of allowing the bill to pass its second reading, as it involved no new principle, but rather matters of detail. When it was in committee it would then be competent for any gentleman to move any amendments he thought proper.

Mr. LOCKE thought that sending the bill to committee would not prevent any gentlemen attacking the measure both in committee and on its being reported up.

Mr. C. J. CAMPBELL objected to such a course being pursued; he intended to move against the bill, as he was entirely opposed to the principle on which it was based.

Mr. TOBIN asked the hon. gentleman if his carriage got out of order would he not take measures to have it repaired. Now the present law did not work well, and accordingly, the government were attempting to repair it, and make it more useful. He trusted that the hon. member for Victoria had patriotism enough to do nothing that would thwart the progress of education, and prevent the passage of a measure that would make our system more acceptable to the people of this country.—When the present commissioners in Halifax entered upon their duties, there were only 700 children attending school, and now, notwithstanding the school accommodation was not at all satisfactory, there were at least 1900. When the House saw that similar results were occurring all over the Province, they should feel encouraged to persevere in the good work which they had set themselves to perform for the past two sessions. He did not suppose that he would derive any personal benefit from the law, but at the same time he was quite prepared that all the property he possessed in this country or elsewhere should be taxed for the benefit of education. Every man who had any patriotism should be willing to contribute towards the education of the country.

Mr. C. J. CAMPBELL said that he was just as desirous as the hon. member for Halifax to increase the educational facilities of the country, and they only differed as to the best means of effecting that desirable object. The hon. gentleman was in favor of compulsory assessment, whereas he (Mr. C.) advocated a different course. If he had a carriage that was continually getting into ruts and was proved rotten and worthless, he would try to get rid of it as soon as possible, and procure a new one, constructed of sound materials, that could be used without any inconvenience.

Mr. S. MACDONNELL said that he did not agree with the statement that there were no new principles embodied in the bill, and that he could not understand the manner in which the House sometimes managed business. He had always thought that the proper time to test the principle was on the second reading, but according to the course proposed, the bill was to be discussed for some time in committee, and

then perhaps be swept away altogether. It would certainly save time if the principle were discussed at once.

HON. PROV. SECT. would frankly say that he was taking it for granted that the law now on the statute book, which had passed by a large majority, was still the policy of the Legislature; but if the hon. member for Victoria wished to move against the broad principle of assessment for the support of free schools, now was certainly the proper time. He was in hopes that no gentleman would be desirous of attacking the fundamental principle of the law after the consideration it had received for the two last sessions, but that gentlemen all round the benches would unite in perfecting and making the measure as acceptable as possible to the masses.

MR. S. CAMPBELL said that the principle of this great measure lay, to a large extent, in its details, and therefore he thought that it would not be improper, but more convenient, for gentlemen who were opposed to assessment to attack it in committee. He did not agree, however, with the assertion that, because the principle of assessment had been sanctioned in previous sessions, therefore it was favored by a majority of the House at the present time. Gentlemen had now gained an amount of experience in reference to the subject which placed them in a very different position to that which they formerly occupied. He had not failed to observe that, though the increase in the number of scholars in certain counties had been large, there had not been that diffusion of the advantages of education through the entire province that the House had been led to believe would result from the adoption of the education law. He believed, despite the assertions of the Superintendent of Education, that education had actually retrograded in this province.

MR. S. McDONNELL said that in the remarks he had previously made, he had not expressed any opinion on the subject of assessment. To many the details of the present bill were more distasteful than those of the existing law. The bill before the House, it should be remembered, substituted assessment instead of voluntary subscription, and in that respect it made an important change from the present act.

MR. ARCHIBALD thought that the most advisable course to pursue was to go into Committee.

MR. S. CAMPBELL said that he had only admitted the principle of the present bill to the extent that some measure was necessary for the education of the country.

MR. LOCKE said that, in attacking the bill on its second reading, they destroyed the chance of having any bill whatever. If it was allowed to go into committee, it could be so amended as to alter the principle most materially, and improve the educational system to a large extent.

MR. MILLER said that he did not intend to trouble the House with any remarks for, on previous occasions, he had expressed his views most fully, and moved resolutions embodying those views. The second reading of a bill was the proper time to discuss its principal, but still he felt that having twice tested the sense of the House, which had decided against him, he was bound now to presume, unless other gentlemen moved in the matter, that there had been no change in the opinion of the ma-

majority. If any one choose to attack the principle of the bill, he would, of course, feel bound to sustain him, in accordance with his past policy as recorded on the journals. He was glad to see that the question now came before the House divested of any party aspect, and that gentlemen would be able to deal with it without feeling that they were opposing or supporting the government.

MR. C. J. CAMPBELL said it was a matter of little consequence to him whether any change had taken place in the feeling of the House; all that he wished was to preserve his consistency. As the government brought down the question of education an open one, every gentleman was left perfectly untrammelled, and could deal with it irrespective of party considerations. He would, therefore, ask leave to move the following amendment as embodying the views he sincerely entertained on this important and difficult question:—

“Whereas it is the declared policy of the Legislature to establish a system of Free Schools for the education of the masses of the people; and whereas compulsory taxation is obnoxious to those assessed, and exceedingly unjust in its collection and distribution:

“Therefore Resolved, That the Free Schools of this country in the future be only supported out of the general revenue; and further Resolved, That a tax of 1½ per cent. be imposed on all articles imported into this Province, for the better support of Schools in this Colony.”

It might be considered the extreme of temerity for him to raise his voice in opposition to practised debaters like the leaders of the government and the opposition—gentlemen of undoubted ability and learned in law and parliamentary usages. Every one knew, however, that Providence had not lavished his gifts on any single class of men, but to some gave eloquence of expression and to others the power of reflection. He felt that there were many gentlemen around the benches who might not speak with the ability of the few, but who had nevertheless the great capability of thinking and forming sound judgments for themselves; and it was to these gentlemen he chiefly appealed in the few imperfect remarks he was addressing to the House. He called upon them to relieve the country from the unjust system of compulsory taxation under which it had been groaning for the past two years. All had the same object in view—the promotion of the people's interests; though some differed from others as to the best system to pursue. His own views on the present subject were clear and conclusive. He objected to the second clause as being unfair to the people to whom it was intended to apply. Under it a few persons would have to bear the burthen of the amount that had to be raised. Other clauses of the bill were equally objectionable, and should be rejected by the House, as they would be most distasteful to the great bulk of the people. A man carrying on mining operations might keep up a school for the sake of the workmen, and yet at the same time, under the third clause, he would be liable to assessment in his own section for all that mining property.

Mr. Campbell went on to say that he considered the provision contemplated, of thirty cents per head, would not work in the country, and to state the nature of his own proposition. The imposition of one and a half per cent. upon

our imports would realize \$215,800, which, added to the usual Provincial grant, would make an aggregate of \$309,063, for the support of education. This sum distributed over the Province—allowing a full limit for the increase of next year—would allow \$7 to each scholar. It would give each teacher an average of \$300. This would fully come up to the schedule proposed in the present act. He had no doubt whatever that the people would be quite willing to accept such a proposition. The machinery for collecting it was already in motion; whereas that for the collection of the tax proposed in the bill would be expensive. Another great object would be also subserved by the policy he advocated. It was unwise to allow so many foreign goods to come into this Province free of duty. It was impossible to apply to a new country, whose manufactures were only in their infancy, the principle that worked well in Great Britain. Under the existing system, all the brooms, rakes, and such articles had to be imported, and no encouragement was given to the extension of manufactures in this Province. It was therefore, his object to establish the principle of protection whilst he also promoted the cause of education. He did not wish to cast any reflections on the supporters of our present educational measure. He believed that they had risked a great deal in forcing it upon the country; but, at the same time, experience should have taught them the folly of persisting in their policy. Another objectionable feature of the system was that it imposed an additional burthen upon those who were engaged in developing our resources, as if they were not already far more largely taxed than in justice they should be. In the place of encouraging men to spend their means in developing the natural capabilities of the Province, the present policy, if continued, would have the effect of making them hoard their money in banks, or send it to foreign countries, just as the capitalists of Halifax had been doing for the last fifty years.

Mr. BLANCHARD said he would like to know whether the hon. gentleman undertook to impose the duty of 1½ per cent. on all merchandise or on certain goods simply.

Mr. C. J. CAMPBELL replied that it was proposed to impose the duty on all dutiable articles. As the importations increased with the growth of the country, the amount for education would increase; and there would be some permanency in the fund. At present the trustees could not tell what remuneration they were able to give to teachers. Some persons, indeed, after having been engaged in teaching, get nothing in consequence of some dispute arising.

Hon. PROV. SECRETARY wished to know how the hon. member proposed to divide the money after it had been obtained.

Mr. C. J. CAMPBELL replied that he might pursue the mode proposed in the present bill.

Hon. PROV. SECRETARY went on to say that he did not understand how the hon. gentleman could effectually work out his system. At present the amount of money received in a district depended on the action of the people themselves. In one place the people might contribute largely in order to get a good teacher, who, under the bill, would receive a certain sum. The hon. member, however, proposed to raise a fund sufficient to pay all the

teachers, and admitting such a plan was feasible, how could the money be divided? Who was to say to one section it should have fifty pounds, and to another it would receive thirty pounds. The hon. member would see at once that the basis now was that the Government could divide the money among the teachers according to the action of the people themselves. If a section employed a second-class teacher, the responsibility rested upon it. It was a popular idea for gentlemen to propose this system of indirect taxation, but how was it to be carried out? If it was adopted in respect to education, it should be extended also to the statute labor of the country.

The present Act on the statute book had gone to a great extent in doubling the education grant—in drawing large contributions from the treasury and from that class who mainly consume dutiable articles. When it was proposed to absolve the people entirely from the most solemn obligation that could rest upon them, namely, of providing for the education of their children, he wished to know from the hon. member how he proposed to work out his system. The hon. member stated that now a difficulty might arise between the trustees and the teacher, and the latter might not get paid; but did not he see that he proposed to double the amount of money to be quarrelled for. If the Legislature was to commit the folly of attempting to draw directly from the revenue the amount required for the support of the schools, this country would soon be in a condition of violent strife. The hon. member had attempted a similar resolution last session, but abandoned it when he saw the feelings of the house on the subject. Having shown to his constituents the views he entertained, he ought not to have again occupied the time and attention of the Legislature with a project which was so entirely Quixotic. Wherever his principle had been tried it had been found entirely impracticable. Instead of exciting an interest on behalf of education, it had led to indifference and apathy—in short, to results that were most antagonistic to the progress of education. A few days ago a resolution similar to that of the hon. member had been moved in a popular assemblage held in one of the counties of the Province, but it was rejected, although the majority were opposed to the present school law, and had no particular affection for the government.

Mr. C. J. CAMPBELL expressed his surprise that the Provincial Secretary should imagine that the present was the proper time to explain the machinery by which he (Mr. C.) proposed to carry out his system; that was a matter of detail. Let the house adopt the resolutions, and he would guarantee a measure that would work smoothly and promote the educational interests of this country. He wished at one and the same time to encourage education and raise up manufactures in this country. Hitherto our people had been continually leaving the country to try their fortunes elsewhere, but once raise up a large manufacturing interest in the Province, and its population would soon be largely increased.

Mr. S. CAMPBELL said that he quite agreed with the hon. member for Victoria as to the feeling of disaffection that existed throughout the country against the present law. This sen-

timent was not exhibited so much perhaps in Halifax or in towns and large settlements; these had the means of availing themselves of the facilities afforded by the law; but there were many localities throughout the Province where the bill could not work at all. He would be prepared, therefore, to go to the full extent of the resolution moved by the hon. member, if he saw the least chance of its success. As it was, however, he would vote for it, and if it failed he would substitute another. The one he would propose would, of course, recognize assessment to a certain degree, but he would limit the power of the Government to impose direct taxation to any amount beyond one-fourth of the whole sum required to support our public schools. He had taken every opportunity of ascertaining the feelings of his constituency on the subject, and had visited the populous as well as the outlying districts of Guysboro'. He had found that the advantages which were to be derived under the law had not accrued at all to many sections. The persons proper to act as trustees, in some cases could not be found. He knew at that moment of a large, populous, and old settlement, where you might travel for miles without finding a single school. These matters were not referred to, as they ought to be, by the Superintendent of Education.

Mr. BLANCHARD said that he had no hesitation in expressing his opinions boldly on this question, for he valued his seat less than he did the performance of his duty. He wished to show how the question really stood before the house—it was to impose one and a half per cent. upon all goods, whether dutiable or free. Surely that was a most Quixotic idea! More than one half of our goods came in free at the present time. The hon. member for Victoria wanted protection, and he was going to have it with a vengeance. He was going to tax all raw goods that come in free, and yet he was a protectionist. He was going to tax all the flour required by the country, for on that article alone he would raise a sum of about \$28,683, for the support of schools. He was going to raise \$215,000 by the additional duty, besides the \$90,000 now taken from the revenue. That was to say he asked over \$300,000 directly from the treasury; that would be more than a quarter of the whole revenue. If all this money was to be taken for schools, and an immense amount besides for railways, how were the roads and bridges to be supported? Then it must be remembered that the hon. member would raise up an army of collectors—the whole machinery of the customs would require revision.

The debate was adjourned.

The house adjourned until 11 o'clock next day.

[The petition presented by Mr. S. McDonnell on a previous day was for a daily mail to Mabou, and not to Margaree, as stated.]

THURSDAY, March 15.

The House met at 11 o'clock.—A call of the House was had.

PETITIONS.

Hon PROV SECRETARY laid on the table a petition from David Hunt for compensation for injuries received on the Railway.

Mr LONGLEY presented a petition from a person named Rogers asking compensation for the loss of hay burned on the Railway.

Mr PARKER remarked that the matter complained of in the latter petition was a very hard case, and one that was deserving of consideration.

These petitions were referred to Committee on Railways.

THE EDUCATION BILL.

The adjourned debate was resumed.

Mr LOCKE said he was not going to occupy the time of the House by any lengthy observations on this subject as it had been fully discussed last session, and the feeling of the House on the general policy of the measure was probably the same as then. He still continued to hold the opinion he had expressed last year, that the old system was preferable to the new, and that the present law had retarded the progress of education. Notwithstanding the statements made by the Superintendent he was disposed to believe that the schools under the old law were twenty-five per cent in advance of the present condition.—In Shelburne County there were not half the school districts in operation that there were formerly, and the progress made at that time was such as to gratify every friend of education. One cause of the decline was probably the great uncertainty in the law, owing to the continued changes which had been made. It had been said by the Prov. Secretary that the State should provide for the public education—that being the case, it was the duty of the State to support the schools entirely and make them free to the people. The resolution moved on the previous evening he thought went beyond what any one could safely agree to, because it contemplated the imposition of duties on all goods imported, not excluding those which it was decidedly impolitic to tax, and, if, on the other hand, only dutiable goods were taxed, the amount would fall short of what was required by about forty thousand dollars. He had another scheme which he thought would be more acceptable. He believed the country could afford to have the *ad valorem* duties raised. Some years ago, when £30,000 was required, no difficulty had been experienced in this case, and by adding 2½ per cent. the sum of \$196,400 would be produced without being so burthensome as direct taxation. This added to the Provincial grant would be sufficient for the support of the Common Schools, and he did not think that the support of the Superior Schools should enter into the question, because if a man desired to give his children an academic education, he should pay for it. The Provincial grant of \$90,000, added to the sum so raised, would give a total of \$196,400, or say \$200,000, and the balance required could be raised by subscription, which the wealthier inhabitants would readily give. There might also be an amendment made to authorise the trustees to receive pupils resident outside the district. If the Government would accept these suggestions, he thought they would be taking an exceedingly popular step, and though he did not wish to see them become popular, yet for the good to be thus attained, he would not regret that they should be so.

Mr. ROSS said that the principal question now before the House, was whether the Schools

of this Province were to be supported by provincial allowance or partly by provincial and partly by compulsory County and local assessment. The first thing was for the House to decide the principle, and afterwards to enter into detail, and he knew the many difficulties surrounding any educational act that could be devised, and so far the new law was not fairly treated. The act of 1864 was replaced by another in 1865, and now instead of amending that act the House ought to abolish it altogether and have our Schools wholly maintained by Government support. It was not often that he and his colleague agreed on the leading public questions that was often discussed in this House, but he felt bound to support the resolution that he had placed on the table; but he found he went too far by attempting to show how the means were to be raised. That was a matter of detail, but the principle should be first voted and the details would soon be provided. They all knew that there was a spirit of resistance against direct taxation, and he believed that in his own county 25 per cent of the tax would never be collected. The House passed an act in 1865, and without having it fairly tested they abolished many of its important clauses, clearly showing that they were only experimenting in changing the acts too often. He was afraid that the Government were attempting too much and instead of making such radical changes, the law like our teaching should advance gradually. He was also, afraid that the Superintendent in his zeal for the cause of education, might believe that education under the new act was improving faster than the actual state of the case in the country really proved. Taking the report of the Inspector for Victoria, he saw matters were too highly colored, and he should be glad if there were "25 new school houses built during the past year in accordance with the plans issued by the Council of Public Instruction," but all he could say was, that in his travels he could not see them. The local tax would entail a burden of from \$3000 to \$4000, on her people, and he for one would not willingly impose such a direct burden on those whom he had the honor to represent. If it would be decided that this burden was to be imposed on them, there were some clauses in the bill that he would feel it his duty to support. One was a uniform rate of payment to teachers all over the Province according to their respective classification. Another step in advance was to have the teachers paid directly out of the Treasury by orders drawn in their favor.—This would be hailed with pleasure by the teachers in Victoria, who could not be satisfied with the irregular and improper manner in which they were paid during last year.

He would state in all fairness that much of the confusion caused in his county was owing to the men who were entrusted to enforce the laws, and they could now pass and amend any School act proposed by the best minds in this House, but unless they placed it in the hands of honest men—men of character, education and position—all these efforts would fail to produce any beneficial results. The Provincial Secy had said that the principle of compulsory assessment was adopted, but there were many things adopted in the House which would be found harsh and injurious to the interest of the people. He would not wish to be con-

sidered as opposed to the general encouragement of education, and he felt it his duty to use every legitimate means of promoting that great cause, so that our successors would have better opportunities of being educated than he had in his young days.

Mr. McDONNELL said that he had no intention of expressing any opinion on the question at the present time, but he thought that whilst the resolution provided the means by which the funds required were to be raised, many gentlemen felt themselves bound to vote against it.

Mr. C. J. CAMPBELL said that, being desirous of meeting the views of hon. gentlemen, he would consent to strike out the last part of the resolution which provided for the imposition of one and a half per cent. duty.

Mr. MILLER said that he could not go to the length the resolution proposed, for he believed it was impracticable to carry out the system efficiently. In the first place, the people would not take that interest in education that was requisite—there would not be the same judicious expenditure of the public funds. One great objection that he had to the present law was that it gave an undue political influence to the government, but substitute the plan proposed in the resolution, and their power would be immensely increased. It would be the means of giving the government an opportunity to use the Educational system as a vast political organization. He thought it would be advisable for the hon. member to withdraw his amendment, as it was understood that the hon. member for Guysboro' intended to propose one more in consonance with the views of gentlemen all around.

Mr. BOURNOT said that two years ago when the government first introduced the Education Act, changing our school system, he gave it his hearty support for reasons which he stated at the time, and to which he would again refer very briefly. In the first place, under the old system, government after government had been pursuing a system of injustice to Cape Breton as well as to other counties of the Province. Although the county he had the honour to represent was the largest and perhaps the most important even at that time in Nova Scotia, yet it received the smallest grant of all. Under the bill of 1864 that injustice was remedied and the education grant was apportioned more in accordance with equity. That was one reason why he had supported the bill, but again, the old system notwithstanding it had many advantages, was still altogether inadequate to the public requirements. The new bill remedied many defects and was in many respects an improvement, and it therefore obtained his support. But when the Act became law, and was tested in the county, it turned out very obnoxious, as the house was aware, to large portions of the people. He had never been blind to the fact that although the principle of the measure was a good one, yet there was one difficulty that stood in the way of its success. The want of good teachers was a stumbling-block at the very outset. This difficulty rendered the working of the measure to a large extent impracticable. In every county, the number of men qualified to teach was very insignificant; and he was very much afraid that the same difficulty would exist for some years to come in

this Province. He would also observe that under the old system the Beards of Commissioners had been appointed in a partial spirit—some religious denominations were over-represented; for example, the largest body in his own county had the smallest representation; but since the new law had been in operation, he was glad to see this state of things had been remedied. Although as a member of the Education Committee he had been a consenting party to the bill now before the house, yet there were one or two features of it of which he did not altogether approve. For instance, there was the tax of 30 cents per head on the population, which was a considerable imposition. Taking the county of Cape Breton, and applying the tax, it would realize in the aggregate upwards of \$6000; that was a large addition to the county and poor rate, and he was afraid it would not be favorably received. It should be remembered that there was also the district tax to be taken into consideration; and which must fall upon the most wealthy of every community. Two taxes would be therefore levied for the same object, and every one knew that fact would not be very palatable. The clause, however, giving a uniform sum to all the teachers throughout the country, met with his entire approbation, for the present system had worked most injuriously. Many a place in the province had been left neglected in consequence of the want of some such improvement as that now proposed. As respects the proposal made to pay the Commissioners of the Schools throughout the country, he felt the full force of the remarks made by the Provincial Secretary. The committee felt that these gentlemen had strong claims, but could not deal with them unless they extended the same principle to the country. It was well known that the clergy and others, who formed these Boards of School Commissioners, had often to travel a considerable distance and lose much time in attendance on these onerous duties; and he therefore was very desirous to pay these men, if it was at all practicable. He had opposed the education bill to some extent last year, and even now supported the present measure with reluctance; but still he could not overlook the fact that probably the time was not far distant when little by little the measure would become more acceptable to the masses. He had had the honor of consulting many of his most influential friends in his own county on the subject, and they took the same view as himself. He was therefore desirous of giving the measure a fair trial, for he believed that the improvements now proposed would render it more operative and acceptable to the people. Entertaining these opinions he could not support the amendment which had been submitted to the house; for once admit the principle embodied in it, where would it stop?

Mr. ARCHIBALD read a petition from a number of intelligent persons in Colchester, asking for amendments in the present law similar to those proposed in the bill before the House. He stated that the petition had its origin before the report of the Superintendent of education was published.

Hon. Mr. SHANNON read a similar petition from Musquodoboit,—a district, which he stated, had shown a most creditable determination to carry out the school law. The rural

sections in Halifax county appeared to be more anxious to carry out the measure than any other parts of the Province. The districts which he especially represented were very anxious to support the measure, and yet they were not composed of rich men, but a large portion of the population was engaged in fishing. He was proud to see the great improvement that had taken place in the city of Halifax, for the capital should set an example to the rest of the province. The Board of Commissioners deserved great credit for their zeal, and he only regretted that the Committee could not see the way clear to recommend some remuneration for the valuable services these gentlemen were performing. As respects the question before the house, he fully agreed with the opinions expressed in the report of the Superintendent of Education. If we expected to carry out any great undertaking with success, we must interest the people in it. The moment Education was supported directly from the treasury, the people would lose a large measure of the interest they now naturally felt, and must continue to feel under the existing system. He added that his constituents outside of the city were chiefly fishermen—who already are largely taxed beyond other classes—and yet it was now proposed to impose still higher duties upon them.

Mr. COFFIN alluded to the legislation that had taken place respecting Education during the past two years. The bill of 1865, was still untried; the assessment under it had not yet been levied. The house could not tell how it would work, but as far as he had been able to judge himself it had been more favorably observed than the previous act. The difficulty in his own county had been to raise the supplementary sum by subscription. The subscription had to be met by a few persons who were bound to have schools at any rate. Could tuition fees have been substituted, the difficulty might not have arisen. He thought under all the circumstances it might have been better to have allowed the present law a fair trial, instead of bringing up amendments year after year and perplexing the people. He did not, however, view the resolution before the house with much favour. As far as his own opinion went—as far as he had been able to judge of the sentiments of the most respectable and intelligent of his own people he believed it would be better to increase the amount for the support of schools from the revenue—by raising the *ad valorem* goods to a small extent, and making the direct tax fall as lightly as possible upon the people. He understood there would be another resolution proposed, and as it would meet his views, he would support it at the proper time. He thought the house was inclined to legislate too hastily upon the question, and did not allow the people sufficient time for consideration. It had been said that the number of school-houses had largely increased throughout the country; that might be the case in some counties, but in Shelburne, with the exception of the Academy which had been raised after a good deal of opposition, he knew of no building having been erected since the former bill. Yet he was not ashamed to allow any one to travel through the county, and note the character of the school accommodation. He knew how hardly assessment fell upon certain classes of

the people; very many found it impossible to raise the money required.

Mr. COLIN CAMPBELL said that the number of school houses in Digby had considerably increased under the act of 1864 and he believed that if the Government had allowed that law to work itself out, it might have succeeded; but before the Commissioners and Trustees understood its provisions, amendments were put in their hands. Again before the bill of 1865 was allowed time to work, other important alterations were proposed. He thought that if there was to be any assessment, it should be sectional assessment; for by that means, every person would feel a more direct interest in the cause of Education. By the provisions of the present bill, only the large and wealthy sections were to have schools of the best class. He thought that there should be some mode devised whereby every section would have a fair provision for schools; it was the poor sections that required the most assistance. As he did not see anything better in prospect, he was forced to vote for the resolution proposed; but he thought that the mistake had been made in not allowing the first bill to work itself out. The dissatisfaction that had risen against the measure originated chiefly with persons who had their children already educated, or with old bachelors, and he believed that the feeling would have subsided with the progress of time. However, if he was certain that the principle of county assessment would be struck out of the bill, he might support it; but under existing circumstances he had no alternative except to oppose it.

Mr. STEWART CAMPBELL said that there appeared to be a very general concurrence in the opinion that the matter of education had been pressed too fast and too rashly upon the people of this country. No one should attempt to deal with human beings differently from dumb animals. It was very injudicious to lash a horse to fury; it injured the animal as well as the owner. Yet the people of the province had been excited and irritated to an inordinate extent by the mode of dealing with the question of education. The obnoxious system of compulsory assessment had been forced upon them, with a persistence that was unwise in the last degree. The natural inclinations of the people had been left out of the question altogether. He had made some calculations of the expense to which the people were to be subject under the bill, and found that by the tax of 30 cents they would have to pay in all \$100,500. Then, in consideration of that tax, they were to receive \$50,000 from the Provincial Treasury.

Hon. PROV. SEC. said that by the mode proposed the amount given from the treasury would exceed the \$90,000 now given.

Mr. S. CAMPBELL replied that he saw nothing in the Act that was conclusive on that point, whatever might be the intention of the government.

Hon. PROV. SEC'Y. said that the measure provided the payment to each teacher of a specific sum according to his or her class of license; and the aggregate sum thus expended would amount at present to double the amount stated by the hon. gentleman.

Mr. S. CAMPBELL said that he could not see it at all events.

Hon. PROV. SECRETARY supposed that the hon. member did not wish to see it.

Mr S. CAMPBELL continued that one of the great objections to the measure was the large expense it entailed. For instance, the inspectors of schools were to receive a sum of \$3 for each half yearly inspection, or \$6 for the yearly inspection of 1400 school sections. He supposed, of course, that the effects of the bill would be so marvellous that all the sections would be brought into operation. Here then was a sum of \$16,800 for school inspection alone. If the teachers were to be of so superior a class as it was expected by the advocates of the bill, what was the necessity for this expensive system of inspection. He thought therefore that the charge of \$16,800 was entirely unnecessary.

Mr BLANCHARD saw that the hon. gentleman had made a slight mistake, the sum for the total school inspection was actually \$8,400.

Mr. S. CAMPBELL said, that he saw he had read the figures wrongly, but was not the sum of \$8,400 a large one under the circumstances. The people of the country did not consider £2,000 an insignificant sum. Some gentlemen who had spent large sums for visits to different portions of the globe, might look at such matters as of trivial importance; but the people thought very differently. He quite agreed with the hon. member for Victoria that the principle of assessment was obnoxious in the extreme; he believed that a large portion of the people would be disposed to return to the old law in preference to the present system. However, he did not think the resolution in its present shape would pass, and he therefore proposed to substitute another which would meet he thought with more general acceptance. When he could not get all he wanted he must be content with what was within his reach. The resolution he intended moving was as follows —

Resolved, That the principle of direct assessment as now proposed, under the bill before the House, for the support of Education, is unsuited to the circumstances of the people of this country; and that this House is of opinion that no more than one-fourth of the funds necessary for the support of our schools should be raised by voluntary subscription or assessment, and that the residue should be raised by indirect taxation from the general revenue, augmented for that purpose by increasing the ten per cent.

Some gentlemen had a horror of increasing the ten per cent, but it would be recollected they had been raised some years ago, and subsequently lowered, and in neither case did the people feel the difference. Some gentlemen, indeed, holding high positions had been quite willing to raise our taxation to the extent of 20 per cent., and could not therefore find fault with his proposition. He trusted that the House would deal with the question irrespective of all party considerations. All that he wished was to secure a triumph for the people of this Province—to secure the adoption of a measure that would encourage education and not discourage it—that would allay that feeling of discontent which now unhappily existed to so detrimental an extent.

Mr KAULBACK was glad that the question

had been brought before the house in a shape that enabled gentlemen to deal with it apart from all political considerations. As respects the imposition of 30 cents, he had enquired into its effect upon his own county, and found it very insignificant. He did not think the amount allotted to the inspectors too large; it only gave each of them about four hundred dollars a year. When he looked at the nature of the duties performed for this sum by the inspector in Lunenburg, he saw that it was, if anything, inadequate. The gentleman holding the position had to work very hard, and fall back after all on what private means he might have in order to support himself. He had always been a strong advocate for direct taxation as the means of support for a system of free schools. His own experience of its operation had not altered his opinion on the subject. Defects, he knew, had existed in the law which prevented its successful operation. A large amount of ignorance respecting the object and scope of the law had been a great stumbling block in the way of its success. The trustees did not know how they were to be protected in making arrangements with teachers—these and other causes had militated against the progress of the measure. Now, however, the trustees would know exactly what each section would receive for its teachers. He found on examination of the subject that education had already made considerable strides under the new system. In his own county it had progressed far beyond what it had ever done. Instead of 1700 children at school, there were now actually over 2200. In the town of Lunenburg there were formerly only 160 attending the six schools in operation, whereas the number enrolled now was three hundred. Under the present system the poor man's child had an opportunity of receiving an education which fitted him for the battle of life. He was glad to find that it was proposed to pay the teachers directly from the treasury, for it would secure to them more equitable and ample remuneration. The sum that would be expended in this way would be at least one hundred thousand dollars, and would increase correspondingly with the growth of the country. He did not think the assessment should be levied on sections, for that plan had been tried under the bill of 1864, and had been found to work most unfairly. He would like to see something in the bill providing for the erection of school houses in the poor sections of the country; the slow progress of education had arisen in a great measure from the want of that necessary accommodation. He was opposed to the imposition of any additional duties upon that large class of his constituents, the fishermen, who were already largely taxed for the articles they used. He hoped that the House would consider the question calmly and deliberately, and with an entire absence of party feeling.

The question was then taken upon Mr. C. J. Campbell's resolution as amended, which was lost by 13 to 31.

Yeas—J. Campbell, Heffernan, McKay, Hebb, Bill, Locke, Stewart Campbell, C. J. Campbell,

Robicheau, Colin Campbell, Ross, Balcarran, Ray.

Nays—Tobin, Hamilton, Killam, E. L. Brown, Parker, Shannon, McFarlane, James Fraser, Pryor, Lawrence, D Fraser, Donkin, Townsend, Whitman, Churchill, Kaulback, Alisoa, Longley, Archibald, Jost, Miller, Blackwood, McLellan, Blanchard, McDonnell, Prov Sec, Robertson, Hill, Cowie, McKinnon, More

AFTERNOON SESSION

MR BOURINOT requested that his name be added to the names of those members voting against the amendment previously put to the House. Leave was granted.

PETITIONS

Mr. PRYOR presented a petition from David Cowie, asking remuneration for the loss of a collection of minerals sent to the Exhibition in 1862.

Mr. ROBERTSON presented a petition for the establishment of Registry of Deeds and Court of Probate in district of Barrington.

Mr. PRYOR, Mr. S. M. McDonnell and Hon. Mr. McFarlane made a few remarks respecting the impropriety of making divisions of counties in the way asked for in the petition presented by Mr. Robertson. Messrs Robertson, Archibald and Coffin made explanations in support of the petition. Leave was granted to bring in a bill on the subject and the bill being introduced passed a first reading.

Mr. ARCHIBALD introduced bills to authorise the sale of school lands at Truro and Oaslow for the purpose of having them referred to the Committee already appointed. They were referred accordingly.

RAILWAY TO YARMOUTH.

Mr. TOWNSEND presented a petition from over 200 inhabitants of Yarmouth asking that a line for a railway between Annapolis and Yarmouth be surveyed.

Mr. KILLAM said that some gentlemen seemed to think it a strange thing for a petition in favour of a railroad to come from Yarmouth, but strange things were happening now. Although he had been opposed to so rapid an extension of these works as had been carried on, and though he was opposed to their construction by government, yet the policy of the country having been adopted on this subject, he thought the time had arrived when the people of Yarmouth who had been contributing to the Railways for ten years should have some share in their advantage. A road in that direction would open up great facilities for travel, affording the most direct route for communication with the United States.

Mr. BOURINOT expressed himself gratified at finding that the people of Yarmouth had become converts to the railway policy;—their application was one that he would readily support. He hoped some attention would also be given to the eastern sections of the province and that Sydney would be as far as possible connected with the Pictou line.

Mr. S. CAMPBELL also reminded the government that on the Statute book there was a rail-

way connecting with White Haven and he hoped this recognition of the policy of such an extension would produce practical results before long.

Mr. LOCKE also urged the construction of the common road, connecting Shelburne with the adjoining counties, prayed for in a petition which he had presented.

Mr. BOURNOR, in connection with the subject of Railway extension, called attention to the great commercial facilities presented by the harbor of Louisbourg. He said that this port was the nearest to Europe of any of our seaports, was open to navigation at all periods of the year, and in the course of years must be the stepping stone to the American continent.

Hon. PROV. SEC., in reference to the petition, remarked that whatever views a member might entertain of any policy, when that policy was adopted by the country there was no inconsistency in changing his views to suit the modified circumstances. He was not all surprised at seeing a memorial of this kind coming from so intelligent and so enterprising a constituency as Yarmouth, one in the precincts of which more wealth was possessed than in any other part of the province outside the metropolis. It would be strange if such a constituency had not recognized the fact that the construction of these works tended to stimulate and develop the strength and activity of a country. The people of Yarmouth might regard the measures adopted for extending the line of Railway 85 miles nearer their borders, as an earnest of the intention of the legislature to extend the communication east and west as rapidly as circumstances would admit. He felt very sanguine that the arrangements made for the building of the Trunk and Annapolis lines were so favourable that the Province would have practically to bear little or no burden in connection with one or the other. The introduction of a million of foreign capital into the country in connection with the latter could not fail to stimulate the business and trade of the country and the fact that the former would place Nova Scotia, hitherto isolated, in connection with the Railway system of New Brunswick would show that that line would return by an increase of trade, by the royalty it would bring in from the Spring Hill Mine and by the increase in the receipts of the line itself, the charges which it entailed. Every one must feel that the construction of 85 miles of road through counties very superior in their agricultural capabilities and in the enterprising character of their inhabitants must develop trade and largely increase the revenue. What then was there to hinder a still further extension east and west? It was to be hoped that the line to Yarmouth might soon be in such a state of forwardness as to place the Province as soon as circumstances would admit, in a position to invite a further introduction of foreign capital for its construction.

Mr. BILL said that as soon as the paying facilities of a line to Yarmouth were understood no doubt a company could be organized with-

out any difficulty. He thought that the capabilities of the western road were not fully appreciated; the facilities it would give for clearing timber from the Crown Lands would go far to make up for its expense. The leader of the opposition had argued that the eastern and western lines would be rivals to each other—he did not apprehend any difficulty upon that ground, though he did not doubt there would be a great deal of rivalry excited between the counties of Kings, Annapolis, and Colchester, and a rivalry of that sort was recognized as exceedingly valuable by the Legislature in its appropriations to the Agricultural Societies for exhibitions and the improvement of stock. The same kind of rivalry would be fostered by the extension to Yarmouth, and he doubted not that the Annapolis Railway Company, on seeing the facilities, would willingly undertake the construction. It was also possible that a Provincial company would be organized for the purpose; it was not many days since he had heard a gentleman say that he would be willing to take stock in the Windsor and Annapolis Company to such an amount as would build five miles of the road. Railway extension had become a public necessity, and he would be happy to give his aid to such undertakings as soon as the circumstances of the country would admit.

PICTOU RAILWAY.

The discussion of the papers on this subject having been made the order of the day for this afternoon, it was now taken up.

Mr. ARCHIBALD said:—In rising to call the attention of the House to the question made the order of the day, I may say I do so in the discharge of a most important public duty, one which cannot be discharged faithfully without to some extent, trenching on the feelings of gentlemen composing the government and of persons in their employ, but every member of the House is bound to disregard his private and personal feelings in dealing with matters of such magnitude as this.—We come here not to consult those feelings, but entrusted as we are with the guardianship of rights and interests of the people of Nova Scotia, if we indulge those feelings and, in so doing, refrain from the discussion of public questions, we violate the trust the people repose in us. The House will remember that the subject under discussion is by no means new:—In 1831, in 1852, and again in 1854, the policy of constructing railways as a government work was brought before the legislature. The House will recollect with what anxious care it was approached, what infinite objections were made to the policy on the ground of the enormous power and patronage which it would give to a government and of the great opportunities for its abuse of power or misappropriation of treasure. It will be recollected that, to carry out these views, the legislature provided by an enactment that none of its members should be contractors or be placed in a position in which their pecuniary interests would be inconsistent with their public duties. A member was not allowed to be even a surety for a contractor, not only so

but the government were not permitted to make bargains in connection with the work, excepting in accordance with principles laid down by the law. I will call attention to the provisions of the chapter of the Revised Statutes, by which the construction of railways is provided for, in order to lay the foundation for a few observations upon this branch of this subject.

"5. The commissioners shall build such railways by tender and contract, after the plans and specifications therefor shall have been duly advertised; and they shall accept the tenders of such contractors as shall appear to them to be possessed of sufficient skill, experience, and resources, to carry on the work, or such portions thereof as they may be willing to contract for. But where commissioners, in any case, deem it for the public interest not to accept the lowest tender that may be made, it shall not be competent for them to accept a higher tender without the approval of the governor in council. And where any tender is higher than in the judgment of the commissioners, or of the governor in council, it is prudent to act on, the same shall not be accepted; and in such case the work shall be suspended for a time and new tenders advertised for, when the legislature or the governor in council shall deem an expedient to proceed."

Now let me ask what are the objects and intentions of these provisions? Was it not the aim of the Legislature to secure the people from a misappropriation of the public funds,—to tie down the Executive Government, wherever they might be, to follow certain rules and provisions which would prevent the possibility of an abuse of power? Supposing any gentleman had risen at that time in the Assembly and dared to make the proposition that the government should be unfettered and should have liberty to expend enormous sums of money without subjecting the same to public competition, solely upon the exercise of their own free will and authority,—with what a shout of abhorrence would the suggestion have been received, and yet what have we recently seen? We have seen the government of this country, not in the absence of law, but in direct defiance, and in the very teeth of the law, undertaking to put their hands into the treasury and dispose of two millions of the public money at their own free will and pleasure. This is an act so gross, so far in excess of any ordinary exercise of the power of government, that it may well excite our dismay. Gentlemen will recollect when these papers were read at the table the look of blank astonishment that fell upon the countenances of gentlemen on both sides of the House on being told that that which not the boldest imagination of the boldest opponent of the government could conceive, had become an accomplished fact, and that these gentlemen had not only dared to do this act—to take the public money in violation of the public law, but for two months had shrouded the deed in such darkness that not a man in the Province besides themselves was aware of the fact.

The Government of this country, the men to whom you have entrusted the interests of Nova Scotia, descending to the miserable position of the pettiest criminal offender, have for two months carried on the affairs of a great public department under false pretences—have been holding out a man as their engineer who was

no engineer, and using him in the name of a disinterested agent, but with the reality of an interested contractor, to impose upon and deceive the entire community. I say as bad and illegal as the transaction was—bold and haughty as was the act of putting their hands into the treasury and taking from it two millions of money, there was something in its very boldness that redeemed it from contempt; but the miserable policy of shrouding themselves in darkness, under the wretched pretext that they might thereby be in a position to make better bargains with the contractors, alike degrades the Government and the people. Respect for the dignity of this House—respect for the character of the Government, should have taught the members of the Administration that in a transaction of this kind they should have sought the light of the day; they should have acted like men who did not fear the closest scrutiny; but they surround themselves with secrecy—they wrap themselves in mystery.—Then they come here and tell you that they have done all this to save your money. They tell you they have put up your public character to sell—they have made traffic of your integrity, your truthfulness, your honor; and they expect you to agree to have all that a people esteem dear, inventoried, and labelled, and priced in the market. This conduct is an insult to the members of this House—it is an insult to every man in Nova Scotia. I speak warmly on this question because I feel warmly. I do not approach it in the light of political partizanship. I consider it one upon which every man recognizing his duty to his country can entertain but one opinion. I will hereafter call the attention of the House to the nature of the bargain which has been made, and we shall see whether there is in it aught that would justify the bargain of the Government, if they had the power to make it; and in order to do so, I shall be under the necessity of referring to details not very interesting, but which it will be necessary to lay before the House.

The act providing for the construction of the Pictou line, passed in 1865, provides—

"The Governor in Council is hereby authorized to contract for the extension of the railway, from the Station House at Truro to the navigable waters of the harbor at Pictou; and, as far as practicable, on the site adapted for a common line for an extension of a line of railway from the station aforesaid to the frontier of New Brunswick.

"The provisions of the chapter of the Revised Statutes, 'Of Railways,' so far as may be, are hereby made applicable to the construction and management of such section."

The construction of this line is placed under the same stipulations and restrictions as are laid down in the original section. That section provides expressly that *the work shall be done by tender and contract, only and after the plans and specifications have been advertised.* For the purpose of filling up the narrative, I will here say, that on the 25th of July, 1864, tenders were taken for the construction of the Pictou Railway, and the first section was put under contract, the whole line between Truro and Pictou being divided into five-mile sections. In November of that year the surveys had been made so far as to enable the engineers to select the route. In his report, that officer described eight distinct lines of road, all terminating at

Pictou Harbor, stated the different advantages which they possessed, and decided in favor of a line which he had marked as No. 8. That line was in extent 48½ miles from Truro to Pictou Harbor, and was approved of by the Governor and Council. I make this statement because the calculations of Mr. Fleming and Mr. McNab, to which I wish to draw attention, have dealt with the route as if it were 50 miles long, while mine are based upon the shorter distance. If it should appear that I am wrong in this respect, I am wrong because the materials placed before us enable me to come to no other conclusion; but if it shall appear that a change has been made, there may be a slight variance, which can be readily calculated. I assume, however, that the line adopted was No. 8, as reported on and confirmed.

From the 1st of October to the 19th of November, tenders were advertised for the rest of the line, and 179 were received,—those which offered a satisfactory security were accepted, although they were not the lowest, and as appears by Mr. Fleming's report of the 5th of April, 1865, the requisite securities had been given, and the contracts had been entered into about the end of 1864. On the 24th of November of that year, and before the contracts were signed, Mr. Fleming submitted "an approximate estimate" of the cost of the road. I call attention to that estimate because a great deal of stress has been laid upon it, and because the House and the country ought to understand the facts. It has been assumed by the Provincial Secretary, in laying these papers on the table, that the amount of Mr. Fleming's contract is \$600,000 less than his original estimate.—I wish to show that this assumption is contrary to the fact, and I think I shall be able to do so in a way that will satisfy the mind of any person who will take the trouble to listen to me. This, it will be remembered, is but an approximate estimate, and that it was not accurate, and was not founded on actual measurement; I hold in my hand evidence of the most unequivocal character to show. At the time when the specifications were issued and placed in the hands of the contractors, there was also a paper handed to them, which contains these words:—

"Contractors proposing to tender are notified that the line of railway, as staked out, is yet open to improvements and alterations in alignment, curvature, and gradient in many places, and they must clearly understand that deviation may be made within a limit of 100 yards on each side without affecting the prices they may name in their tenders."

It is quite clear, then, that at the time when this estimate was made, there was not a cross section nor a longitudinal section completed, and it was competent, under the specification, to vary the line to the extent of 100 yards on either side, and to alter everything which constitutes the body of the expense. It would seem that not only was this open to modification at that time, but Mr. Fleming himself, on the 5th April, 1865, when reporting on the state of the work, says that, in order to bring the expense within two millions, he had,

before the contracts were entered into, made considerable alterations in the specification, in the gradients and in the curvatures,—therefore while his estimate of 2,216,500 dollars was founded on a certain state of facts, his report on the face of it shows that he had made extensive alterations to reduce it within \$2,000,000 or thereabouts. Under the hand and authority of the Engineer himself, we find that, after these alterations are made, his contract is not \$100,000 within his estimate, but \$100,000 beyond it.

After these contracts were entered into, difficulties in connection with the work occurred, and on the 26th of October Mr. Fleming was called upon by the Provincial Secretary to give the Government a statement of the progress of the work, and to state when the line could be completed and open for traffic. He reported the exact amount of work which, under the contracts, had been agreed to be done. Before the date of this report, the cross sections and longitudinal sections had been made up, and he, Mr. Fleming, computed the time required for the completion. That return was handed to the Government. On the 28th of October the Provincial Secretary asks Mr. Fleming if anything can be suggested to hurry on the work. Mr. Fleming replies, on the 30th of October, that he had given the matter consideration, and had come to the conclusion that it would be possible to complete the work within the time appointed, provided certain conditions were complied with. One of these was, that he should have full liberty to act, from beginning to end, according to his own judgment, employing whatever men and means he pleased; and he goes on to show in what particulars he would improve the existing state of affairs. We find that this paper is dated on the 30th of October; on the next day the Government, after a few hours' consideration, reply to Mr. Fleming. They consent to adopt his suggestion.

It is a curious feature in the case that Mr. Fleming suggests that he should settle with the contractors and discharge the sureties. The latter step the govt. could not take without direct violation of law, for they had no power to discharge a surety, it was to their sureties they had a right to look for the fulfilment of the contracts, and yet this same government in the instruction to the engineer, which themselves are a violation of law, recommend him to have strict regard to the legality of all his proceedings. While they were deliberately breaking the law and taking on themselves to do what the statute forbade, they asked their officer to have regard to that law. Some difficulty arose even then: as soon as they had overstepped the bounds of the statute, they had no power to pay out a penny of the public money, because under the statute two conditions were necessary; first, that the contractor should do the work; secondly, that the engineer should certify that fact, and they were, therefore, in this position, that though their officer was at work, if they paid a shilling they were liable to impeachment not only

in the Legislature, but before the courts of the country. Under these circumstances they proposed to Mr. Fleming that instead of being engineer of the work, he should undertake to become the contractor. That was on the 27th of December. On the same day Mr. Fleming accepted the proposition. Now every one must see that the whole thing had been pre-arranged, that the engineer was prepared for the proposal,—that the correspondence was so arranged as to make it appear as if the matter had been the subject of care and deliberation, while every step from beginning to end shows that the whole thing was a farce,—that the rehearsal had taken place before, and the parts of the different actors all made ready.

On the 27th December then, Mr Fleming announces his willingness to undertake the work. What do the government do? They cannot accept the enormous responsibility—They cannot venture to violate the law unless they can find some one pretending to be an engineer who will say that the bargain is a good one, and then for the first time appears Mr. McNab on the scene. When the papers laid on the table first disclosed who was now the Chief Engineer, I could not help thinking of the anecdote told in this House by my friend, the late member for North Colchester, Mr. Morrison, concerning the captain at sea who was informed that James K Polk was President of the United States. The House will recollect the question which formed the reply. The same question, I have no doubt occurred to the minds of several members the other day. I put the question in parliamentary language, I asked the government to lay upon the table the papers to show who Mr McNab was. We got the papers, and what do we find? We find that he had been engaged in Western Canada on the work of the Grand Trunk Railway, that he had some distinction as a draftsman, that he then went to Grenada where he remained some time. Eventually the Governor, or some other dignitary of that colony intimates that, for some reason or other, the island was too small for a man of his abilities, and the authorities were reluctantly obliged to part with him. His first application in Nova Scotia is made to the Provincial Secretary for the appointment of a county land surveyor, and from March, 1855, he was employed in that service, running round hundred acre lots, and discharging the other functions of a county surveyor, and yet this gentleman who, in March, is content with so humble a calling, in December, is suddenly called upon with the speed of lightning to respond to the people of this country whether a bargain, involving two millions of money, ought or ought not to be accepted. I am happy, in one sense that I have no acquaintance with Mr. McNab. I have never seen him as far as I know. If I had, I might feel more restraint in speaking freely even in the discharge of public duty, but even the Provincial Secretary, before I have done will be

satisfied that of all the certificates of character he possesses, there is none to compare with the one which he has written for himself. If he had ten thousand certificates, I need go no further than this document under his own hand to show that if the government have no better security against loss than his judgment, the security is a sham. In this conclusion, the judgment of the House will support me. If the facts, to which I shall call the attention of the House, do not warrant language so bold and strong, then I will not only submit to the stinging observations the leader of the government may have it in his power to address to me but to the censure of the moderate and candid members on both sides.

In Mr. Fleming's report of the 25th of November, in which he states the sum which the work was to cost upon the specifications issued, there is one fact to which I wish to call attention. Before this discussion came on, I asked the Government to lay on the table the original specification issued for tenders; the document was laid on the table, and contained, as I knew it would contain, some figures that were obliterated, and I understood the Provincial Secretary to say that these alterations were made before the specifications were placed in the contractors' hands.

Hon. PROV. SEC.—I said they were altered before being acted on.

Mr. ARCHIBALD—That is the fact. They were issued in one form—the contracts, when executed, contained the specifications in another; but no man in this house or in the country, so far as I am aware, except the Government themselves, knew the extent of the alterations that had been made. The original specification provided that the entire road from Truro to Pictou should be 20 feet wide, the side cuttings 22 feet, the cutting in embankments 24 feet; and those figures were subsequently reduced to 18 feet for the width, 20 feet for the side cuttings, and 22 feet for the embankments. Here there is an alteration of a most important character—one by which one-ninth of the width of the entire road from Truro to Pictou is struck off in a single figure without the public attention being in any way called to the fact; and I will presently refer to this fact in connection with Mr. McNab. Throw off this one-ninth, calculate its proportion on the cuttings and embankments, and it will make a difference of 5 per cent. or thereabouts on the grading and masonry of the road. What will this single alteration effect? Mr. Laurie estimated the line from Truro to Pictou, and I find that for grading and masonry he estimates \$1,117,500—more than half the entire cost of the railway; and by applying the proportions to the present contract, it will be seen that by a single alteration in the specification, to which our attention had never been called till the papers were laid on the table of the house, \$50,000 at least were thrown off the cost of the work to which Mr. Fleming's estimate refers. Is not that a significant fact? Is it not one that should induce us narrowly to scan the whole transaction from beginning to end?

Now let us examine the report of Mr. McNab. This gentleman, on the 28th of December, after a long official experience in the

woods of Annapolis, is called on to examine the construction and report on the present condition of the work, in order that he might give an opinion upon a bargain involving the expenditure of two millions of money. This was a matter of greater moment than was ever submitted to one man in Nova Scotia before. Well, he began on a Friday—he had Saturday at his disposal; I will assume that the Government considered it a work of necessity, and throw in Sunday. Monday was the 1st of January. Admitting that he was willing not only to violate the holy day, but to deprive himself of the rest which the custom of the country permits on New Year's Day, he had then three whole week days and a Sunday to report on the entire condition of the work. On the 21st of January he makes his report. One cannot help speculating on these facts: On the 27th of December Mr. Fleming is in Halifax ready to receive a letter from the Provincial Secretary; next day a letter is sent to Mr. McNab, who also is on the spot, and this gentleman in three week days is prepared to report on the whole transaction. Is it not possible to suppose that he could see that if he reported favorably, he was reporting a vacancy in the office of Chief Engineer? I will not say that he had a spirit of prophesy, but if he could accomplish such a task as I have described in 3 days, he must have been gifted with no ordinary abilities. During those three days, may we not reasonably suppose that some time was devoted to the contemplation of the advancement which he was to receive? If he had gone over the work, inspected it, and reported from his own observations, some confidence might have been felt in his conclusions, but to report upon a work extending over 50 miles of country in the dead of winter, and to state that the work, so far as it was advanced, was of the most permanent nature, and in strict accordance with contract, would have required as many months as he had given days. It is impossible he could have seen a single inch of the line. Yet he undertakes to report, as a matter of fact within his own knowledge, the statement to be found in the document. These circumstances must lead me to feel that, in entering upon the discussion, you are treading upon doubtful ground. Not only does he aim at his conclusions, but he says they have been arrived at only after the closest calculations. Let us see, then, what this report is worth, I call attention to a very significant fact. I hold in my hand a statement made by Mr. Fleming as Chief Railway Engineer, in which he calculates the amount of work, which the contractors had tendered for at the prices of various tenders, which had been tendered. The results is an estimate of \$965,000. The house will recollect that, in this officer's report, of Ap-11, 1865, a corrected statement is made of the amount to be done under the contract. This return affords material for the closest calculation, and any member, looking at the first page of these papers, will see the entire quantity of clearing, close cutting, grubbing, earth and rock excavation, masonry, and other kinds of work to be done, specified and distinguished. I then asked the Provincial Secretary to lay on the table the accepted tenders so that I might see what the prices were, and might calculate for myself what the amount would be.

I have made this calculation for myself. It refers to the quantities as ascertained by the engineer after the specification was altered, and it shows the amount of the work on this diminished scale. My calculations bring out the amount of that work at about \$877,000 or thereabouts.

But assuming that Mr. Fleming's calculation of the original quantities was correct; assuming that he is right in saying it came to \$965,000, this, the house will perceive, is a matter of mathematical calculation. The same materials with which Mr. Fleming worked were in the hands of Mr. McNab. The result should, therefore, have been the same. Both of these gentlemen estimate the work not by the value, but by the prices of the accepted tenders. These materials, therefore, were the same. To the extent therefore of \$965,000, they travelled the same road, and should have achieved the same results.

But Mr. McNab's calculation, estimates the roadway and works in a single item. This he estimates at \$1,574,736

Mr. Fleming's estimate for the same service is \$1,353,000
Of the two estimates, \$965,000 is common to both.

All that is above that sum is the part of the estimate which is open to doubt or uncertainty.

Mr. Fleming estimates for what Mr. McNab calls roadway and works, over and above the \$965,000, a sum \$300,000

For the same items Mr. McNab estimates over the \$965,000, \$610,000

So that in the single item, Mr. McNab charges Mr. Fleming with an under-estimate of \$220,000, or over 60 per cent. of an error.

I ask the Provincial Secretary what he says to a fact like that, stamped upon the face of these papers. Surely this enables us to judge of Mr. McNab's qualifications better than if he had sheaves of certificates from every part of the world? I intend, however, not only to test the accuracy of Mr. McNab, but also of Mr. Fleming, and to compare their calculations with those of other officers possessing the confidence of the government, and to compare Mr. Fleming's calculations with others of his own. He shall not be judged by an enemy. He shall sit in judgment on himself. Mr. Fleming has been connected with the public works in this Province since April, 1864; he had had nearly as many years of experience as Mr. McNab had. Is it not amazing that the late gentlemen in such a computation should have found such a discrepancy in the calculations?

Further, Mr. Fleming's approximate estimate, if made on anything at all reliable, was made on the original specification, when the road-bed was twenty feet wide instead of eighteen. Ought it not to be the duty of a gentleman, called in on the part of the Province to report whether the contract was one that should be entered into, to call attention to the fact that since the specification was issued, and since the estimate had been made, an immense alteration had taken place, the effect of which was to make a reduction of over \$50,000. Was it not his duty to have told the government true, Mr. Fleming, in making that estimate, had in view a specification for a road twenty feet wide, but that he had since made

changes in the breadth in the alignment, in the gradient, in the curves, and that therefore, a very large sum should be deducted. If it be true that these alterations throw off \$200,000, from this estimate, ought not that to have been reported? If the conclusion, which I have arrived at as to Mr. McNab's report, depended upon a single circumstance, they might be doubtful, but as I pursue the thread of the argument, it will be seen that not in one portion of the report but in the entire report from beginning to end it is stamped with features which render it entirely valueless.

The next portion of this report, to which I shall refer, is the superstructure. The allowance for superstructure Mr. Fleming himself placed at \$530,000, while Mr. McNab places it at \$675,996, adding no less a sum than \$141,000. It is impossible for a person but an engineer to tell exactly what this item should be, but we have pretty good means of getting at it. I will take two authorities, to neither of which the government, at any rate, can make an objection. I will take the calculation of Mr. Laurie, who gave us the cost of superstructure on the projected railway to Pictou, and I will take the calculations of Mr. Fleming himself in reference to another and a larger work, and if Mr. Fleming, whether judged by himself or by Mr. Laurie, is found to be largely over the mark, then what will you think of Mr. McNab, called on thus, entrusted with the confidence of the government, not content with a large margin of that kind but willing to go still further, and to make the cost still larger. The work of superstructure consists of rails, chairs, spikes, switches, road crossings, sleepers* and ballast;—the two important features making a difference between different class of work are the rails and ballast which are larger and heavier in some works than in other. The main difference in cost will be in these. Mr. Laurie, in March, 1859, at a time when it was supposed to suit the views of the existing government, he would not be disposed, at all events, to under-rate the cost, gave us as an estimate. This was founded on the supposition that the rails would be 63 pounds per lineal yard. The rails on the great line are to be but 56 pounds. The difference is one ninth. The ballast was put by Mr. Laurie at 4800 cubic yards to the mile, while in this contract it is 3000 yards, thus striking off three-eighths in that item.—It should be remembered that, though I make no deduction on any such account, the slighter railway requires less material. Making then the deductions for the rails and the ballast, we will find that the cost of a mile of railway superstructure is estimated by Mr. Laurie, in his report in the Journals of the House, in 1859, p. 76 of the Appendix, added to the amount for sidings under the contracts gives us the sum of \$8598 16 per mile. This, multiplied by 48½, will give us the entire cost of the superstructure as estimated by that officer at a time when, as I have said, it was the interest of the government to make the cost appear as large as possible at \$419,152 80. Therefore while Mr. Fleming himself undertakes to say that the superstructure should cost

\$580,000, his estimate is \$110,847.20 beyond Mr. Laurie's, and yet Mr. McNab, in the teeth of these facts, which it was his special duty to have brought to the notice of the government, undertakes to say that this extravagant calculation is not extravagant enough, and that \$41,000 must still be added. Now, if I were altogether wrong in my former statements, I ask the Provincial Secretary what he has to say to that? Next let us judge Mr. Fleming by himself; he was called on to estimate the entire cost of the Intercolonial railway from Truro to Riviere du Loup, and to state what the cost for superstructure per mile would be. On that line the rails were to be 70 pounds, instead of 56 as here, making a difference of one-fifth; and the ballast was to be 5000 yards per mile, instead of 8000, making a difference of two fifths,—and we find that Mr. Fleming, taking Mr. Laurie's prices in the estimates of 1859 puts the entire cost per mile of superstructure at \$8074 17, after adding the five per cent for sidings. So that, if we judge Mr. Fleming by Mr. Laurie, we will find that he has over-calculated to the extent of \$100,000; and taking his own estimate on the Intercolonial line—the 4 3/4 miles at \$8074 17—yield a total of \$393 615 78, or \$186 384 22 less than his present estimate, or \$177,880 less than Mr. McNab's estimate. Therefore, in a single feature of this transaction, Mr. Fleming has undertaken to make the estimate for the Pictou Railway in excess of his own calculation for the Intercolonial line by \$188,000; and yet Mr. McNab—this model engineer, who has been conjured up to pass an opinion upon the proposals—says that Mr. Fleming, in making it \$110,000 more than Laurie, and \$136,000 more than himself, is still \$41,000 out of the way. Is there a member on either side of the House, whether a supporter or opponent of the Government, who does not feel that a man who could make such a statement as that, in the face of such estimates, is one who is entirely unworthy of the confidence of the people, and that the Government, in relying on such an officer for protection from imposition, have relied upon a broken reed, that must pierce the hand that rests upon it. There is yet another feature of the matter worthy of attention: Mr. Fleming had all the experience of an engineer who had been engaged in very important railway operations in Canada and in New Brunswick. If there was a question in the world upon which he should have been capable of exercising a sound judgment, it should have been as to the cost of engineering; and yet Mr. McNab would tell us that, in this particular, he is 16 per cent. astray; that the chief engineer did not know the cost of his own peculiar department, and that he required to be instructed as to his incompetency by a deputy surveyor of Crown Lands. As though he were unwilling to leave the matter in that position, Mr. McNab goes on to say that if he had done justice to Mr. Fleming he should have added five per cent. of the entire quantity received for the department; so that, if the transaction is credible at all, Mr. Fleming has undertaken the job at a quarter of a million of

money below what he ought to undertake it for,—and yet this gentleman, called upon to report what should be inserted in the contract, does not advise the Government that a man who would be mad enough to throw away a quarter of a million of money ought to afford any security for the performance of the work, and not a word is inserted for the protection of the Province from the delinquency of a contractor who has so poor an idea of an estimate as to make it \$250,000 less than it should be. I have referred to Mr. Laurie's report of the Nova Scotia survey, and I find that Mr. Fleming, if I judged by that report, is not beneath the amount required for engineering when he puts it at \$60,000. Mr. Laurie's estimate for the Nova Scotia line, in 1857, is that the entire cost of the engineering would be £12,271, about \$770 per mile, and if that allowance would be sufficient for a line going over as bad, and even worse country as that from Truro to Pictou, it should be sufficient for this line, and would make a total of \$37,539; therefore the amount which Mr. Fleming himself estimated as the cost of engineering is \$22,562 more than the amount which it did cost in the same number of miles on the main trunk. Therefore if it be a fact that Mr. Fleming is a better judge than Mr. McNab of the cost, and if he put it down at \$60,000, leaving himself even then a margin of \$22,000, we have a right to assume that when Mr. McNab increased it from \$60,000 to \$70,000 he acted on the same principle as on the other calculations shewing Mr. Fleming's incapacity to make accurate estimates, and that he was undertaking such a work as he could not undertake with safety to himself. Then Mr. McNab is asked for suggestions in reference to additional terms to be inserted in the new contract; in his reply he recommends a clause for the construction of sidings to the extent of 5 per cent. upon the whole line. It will be recollected that in the original specification there is no reference to the length of sidings or to their proportion to the whole line. Mr. Laurie's estimate for the line to Pictou will find it stated at ten per cent. Mr. Fleming's estimate for the Intercolonial line was ten per cent., and now for the first time we hear of the quantity for this line. It is not in the original specification, nor in the second specification, but when Mr. McNab is called on to state what should be inserted in the contract for the protection of the people of this country, he undertakes to reduce the measure below both the estimate of Mr. Fleming himself for the Intercolonial road, below the level of Mr. Laurie for this same road. What does this reduction, (if reduction it be) amount to? Mr. Fleming gives us the means of deciding. He puts the cost of the superstructure at \$530,000. On his own shewing five per cent. reduction is equal to \$26,500. It is just possible that in the original contemplation and plan the sidings are intended to be no more than five per cent., but there is no paper to shew it. The road prescribed by the officer of this same government in 1859 prescribes 10 per cent., and we may assume in

the absence of evidence to the contrary that this was intended here. Mr. McNab undertakes to strike off \$26,500 from the amount of what the Province was entitled to expect, cheapening the work to that extent in favor of the contractor. Then comes the question of ballast. There is not a word said in the original specification as to this. We are not in a position to tell what was intended to be put on the road, but this we do know, that a gentleman, possessing the confidence of the present government, a gentleman who, if the government had not lost power in 1859, would have been employed to construct this road, put down the ballast necessary for such a road at 4800 cubic yards to the mile. By another stroke of Mr. McNab's pen—it may be in good faith, but there is nothing to show that it is so—the quantity is reduced to 3000 yards. We have a right to ask how three-eighths of the quantity thought necessary by Mr. Laurie is struck off. This affects the contract. Mr. Fleming's estimate for the Intercolonial line was 5000—but we shall not press that; Mr. Laurie's estimate for the Pictou line was 4800; if Mr. Laurie was right, the deduction, at Mr. Laurie's own price, is equal to \$720 per mile. Throw this off the entire line, and it will make a difference of \$35,000. Then we have \$25,000 for sidings, and \$35,000 for ballast, less than other estimates in the only two things which Mr. McNab suggests to be inserted in the contract. I have not added anything for the alteration in grades, curvatures and alignment; but everybody knowing the rudiments of these matters can perceive how, by a slight alteration of a curve or grade in a difficult cutting or embankment, \$5,000 or \$10,000 can be saved with perfect ease. When Mr. Fleming, then, tells us in his own report that he has made alterations in the grades, curvatures and alignment, and when we know that other apparently large items may be cheese-parings compared with these, I ask whether Mr. McNab, if he has failed to call the attention of the Government to the facts, has discharged his duty to the country or to the Government that employed him?

I do not pretend to be a Judge of the amount of ballasting required, but when I find engineers of ability and eminence—when I find this very contractor himself putting down 5000 and 4800 yards per mile as a proper allowance, I begin to enquire how it is that the moment that Mr. Fleming becomes a contractor this 4800 is reduced to 3000? But is this all Mr. McNab should have done? When asked to report on the proposition, and to suggest the necessary alterations in a new contract, he should have called attention to the fact that under the original specification the work was to be paid by measurement, and the number of cubic yards only had to be ascertained; but that the moment the entire character of the transaction was changed there should have been a corresponding change in the contract. If I employ a man to build a house such as I shall direct, and agree to pay him by the square yard for the foundations, for the walls, for the roof, for the ceilings, for the partitions, it is immate-

rial what the amount of the work may be; I get what I want, and he is paid for what he does; but when the arrangement is changed, and when instead of paying by measure, I pay a lump sum, I should be an idiot if I were to have nothing inserted in my contract to specify the size of my house, the number of the rooms, the style of finish and every particular of the character of the construction, and yet this is just what we have not got here, where we are spending over two millions. There is not one word in the contract to show that there is a plan of a bridge or a culvert, or an arch in existence by which the contractor is bound to build. It does not contain a stipulation to build a bridge at all. He may build the road in any way he chooses, and the single limitation is, that it is to be equal in character to that of the Provincial lines already built, and the security of the Province is, Mr. McNab is to be the Judge. If he guards the Provincial interests, when he is engineer, as well as he did when he hoped to be engineer, the safety of the Province is assured! Surely when Mr. McNab was called upon to state what alterations were required, he should have told the Government that it was immaterial what sort of work was done, so long as the government had the power to prescribe the kind of work, and the pay was to be according to the character and quantity, because the engineer could at any time change the plan of a bridge or a culvert, or an arch, from a first to a second class, or substitute an earthen embankment, but that the moment it was arranged that the contractor was to be paid an entire sum, the specification should be altered and made specific, the bridges to be built should be according to plans and dimensions prepared. So strict are the provisions of the law relative to the construction of railways, that it does not allow an advertisement to be issued or a tender to be received until the plans are actually made. The framers of the law knew that if a contract were made as the statute contemplated, they should be made, after surveys and plans for a lump sum, without the proper surveys and plans being made and specified in the contract, there would be no security against its evasion.

In the original contract (which is to be found in the Journals of 1865, and from which I now read,) it was stipulated that the engineer should be at liberty to make alterations, giving him the power entirely to change the nature of the work. This stipulation is in the contract with Mr Fleming. But then, on the other hand, Mr Fleming's letter of the 30th October, in which it is an indispensable condition that he should have the entire control of the work, from beginning to end, is just as much a part of the contract. Let us look, then, at the position of the Government. We have a contract made between Mr. Longley, on behalf of the Province; and Mr. Fleming, embodying letters and proposals of the latter, which, on the one hand, contain a condition that he is to go on as he pleases with the work, and, on the other hand, contains the condition that the

engineer shall have power to change and alter the work which is to be done. Surely Mr. McNab should have informed the Government that two irreconcilable conditions should not have been inserted in the agreement, or that it should have been reconstructed to suit the alteration, or, at all events, to state which of the two conditions was to be binding. If he made no suggestion of this kind, after being called in for the special purpose, he has shown an entire incompetency for the office which he holds. The Government themselves ought not to have needed to be told of the necessity of these changes; but if they did, then it shows that, in leaning on the advice and support of an officer who ought to have known his duty, and who, at all events, was responsible for his advice, they have been led into difficulty by the man who should have kept them out of difficulties. Looking at the matter, then, from beginning to end, I cannot but feel that, in the language which I have used in reference to Mr. McNab's report I am entirely justified,—justified not merely in the opinions of gentlemen who generally act with me, but in those of every dispassionate and candid thinker in the House. If the Government, then, are in such a position through the unsound advice of Mr. McNab, it is because they have called to their assistance a gentleman who has shown that these duties are beyond his capacity and who has proved himself unfit for the position he holds.

It may be said that this is strong language to be used of a person outside this House, who is not here to defend himself, but the action of this officer is public property. That action has controlled two millions of the public money. Am I to be told, then, that from feelings of delicacy or consideration to a person so suitable I am to refrain from reasoning upon matters of this importance or drawing deductions patent on the face of these documents? Surely not. In making these remarks, of one whom personally I know nothing, of whom I judge only by what is in the hands of every member of the House, I am not exceeding the fair license of a representative of the people. I will go further, and say that were I to sacrifice what I believe to be important public interests to feelings of delicacy, I should be recreant to the trust which my constituents have reposed in me. I feel also that, in the consideration of this question, I do not deal with it in reference to any party aspects, but as it touches the interests and feelings of the great body of the people. The House well knows that I have never hesitated when matters, which meet my sanction, and are in conformity with my political convictions, come from quarters to which I owe no support and no favor, to give them my approbation irrespective of factions, or party considerations, but when I feel that the great interests of the country are being trifled with, and that has been done which no executive government ever dared to do before, I consider that I should be betraying my trust if I failed to come forward, and denounce the deed.

Now let me turn the attention of the House for a while to Mr. Fleming's own calculations. I asked the Government, immediately after the contract was laid on the table, to submit the returns of the prices for which the parties whose tenders were accepted undertook the work on the railway,—that return has been submitted. By its aid any one can make the calculation to ascertain what these contractors undertook to do the work of the sections for with as much accuracy as Mr. Fleming himself; all that is required is a simple arithmetical computation. There were of the accepted tenders ten for clearing, ten for close cuttings, ten for grubbing, ten for every species of work, and from these we can obtain an average. In making a calculation, founded on these, I have done no more than what it is competent for any person who will take the trouble to do for himself. It will be remembered that Mr. Fleming's approximate estimate, recorded on the Journals, and referred to in every stage of the correspondence, is founded, as to prices, on the original tenders. His letter of the 5th of April, 1865, gives us quantities. In order, therefore, to ascertain the cost, all we have to do is to take an average price from the tenders, and multiply by the quantities. Mr. Fleming, in his return, which at my request has been laid on the table, computes this at \$965,000; but his computation was founded on the original specifications, and before the width of the road-bed was altered and the other changes made. The quantities in the report of the 5th of April, 1865, are, I assume, the quantities of the narrow road, and then I made all the previous prices amount to \$876,000. In this I may be mistaken, and it may be that I have been working upon a misconception of the data; but I have taken some pains with the calculation, and I have submitted it to gentlemen well qualified to judge by practical experience in the work of railways. If I am right, the work which the section contractors undertook to do at the prices should cost \$876,698 only, there being a difference of nearly \$90,000 between this and what would have been the cost of the larger road. But I do not base my argument on this at all. The conclusions I draw do not depend upon the accuracy of this statement. If its correctness should be controverted, if it should be shown that I am wrong, the argument I have addressed to the House stands unaffected. For the purposes of my argument, I am willing to assume that I am wrong in this particular, and that the quantities and prices would even go up to \$965,000 on the previous work. There is margin enough left.

What have we next? The superstructure Mr. Fleming has put down at \$530,000. I have dealt with that item already. I have shewn the amount by which it exceeds other estimates including his own. I am willing to take his estimate for station buildings, because he has bound himself by the contract to expend \$40,000 on them; as regards the steam ferry service, I take that at \$30,000 for the same reason. As to the cost of engineering, I am willing to take Mr. Fleming's own estimate, and only two items remain, one of \$140,000 for iron girders, one of \$250,000 for extras, I cannot understand. — I can understand a charge for extras where there is a certain lump sum for a specific work to be done according to a specific contract. Then claims may arise from the deviation from

the contract, or for work beyond it, but where, as under the terms of this agreement, the contractor undertakes to do any work required at so much per yard for every yard of earth and rock, and every yard of masonry built, I confess I am utterly at a loss to conceive what constitute the extras. There is only one particular to which I can understand extras to apply. I have examined the contract with some care. In the original specification, there is a provision that the excavations for the abutment of bridges to be built so far as the excavations are below the ordinary water level, are to be paid at a price to be agreed upon. I am not sure that this is not covered by the sum in Mr. Fleming's statement for work to be done, in which he speaks of certain quantities. This is the only charge for extras in Mr. Fleming's report of the 5th April (for excavation bridges) that can be made, so far as I can see, except for road-crossings and cattle guards. Supposing it so, our calculations are reduced to a very narrow limit. We will deal first with the girders. It is a curious fact that, in the contract signed by Mr. Fleming, he does not bind himself to construct a single iron girder bridge between Truro and Pictou, and not a girder may be placed upon the entire road for all that the contract prescribes. It is true Mr. McNab says that girders have been sent for, and are being manufactured—such may be the case, and Mr. Fleming may intend to complete the order, and build iron girders, but is it a fit condition for our public affairs that in a matter involving such an amount of treasure the vital interest of the country should depend upon the fair intentions of any man? Was it right that a gentleman called upon to give advice to the Government should not feel it his duty to tell them that there should be provisions for a certain quantity of this material? I have been unwilling, in these observations, to import into the argument a single statement or fact not on the papers themselves; but I shall here mention, not as a fact, but as calculated to afford the Government an opportunity for contradicting it if not true, that it is believed on the line that large changes are being made in the construction—that earthworks are being constructed for bridges, and tunnels for culverts, cheaper and less durable, for the more costly and permanent works originally designed. Mr. Fleming himself says that some cases where culverts were intended to be built, tunnels are to be substituted; and the House knows that if such is done, it will be only when it is cheaper than the original work, and that every other alteration will be naturally in the direction of cheapening the cost and of lessening the burden to the contractor.

Now, I do not assert that there is any truth in any of these statements—I base no argument upon their being true; but I have a right to charge Mr. McNab and the Government with a dereliction of duty, when they have not so framed the contract that such could not be done, and if done, could be treated as a clear violation of the contract. Now as to the quality or cost of iron girders: I am no judge of either, but I can do with this matter as with others, and base a calculation on Mr. Laurie's estimate for the Pictou line, and Mr. Fleming's own estimate for the Intercolonial line. Mr. Fleming, for the road from Truro to River du Loup, has estimated, for the distance of 449 miles, 5084 tons, or 11 tons 6 cwt. a mile. I may

fairly assume that a road passing over very rugged parts of this province and New Brunswick would be equal, in the cost of this item, to the road from Truro to Pictou; this calculation, applied to the mileage of our railway, will give us a correct approximate estimate. The result is 11 tons 6 cwt. per mile, making a total of 540 tons for the Pictou road. This, at \$140 per ton, would make altogether \$76,000. Mr. Fleming in his estimate for the Pictou road, puts it at \$140,000, making a difference, under his estimate of this road and his estimate of the Intercolonial road, of \$63,000 in this one particular. It may be said with some force that it would be unfair to apply the average running over a large tract of country to a smaller and more rugged tract, and I would not be doing justice to my argument were I to leave the matter in that position, but let us take the trouble to turn to Mr. Laurie's estimate of the girders required for the road over the same ground. The line is not exactly the same in location, but I have been informed by gentlemen who have examined both lines with the eyes of practical men, with the eyes of men who were judges and experienced men, for both that in point of difficulty and expense, the comparison is not unfavourable to the present line. Mr. Laurie's estimate makes the cost of this item 1908 per mile, which applied to the 400½ miles, would make \$92,868. Mr. Fleming, judged by himself, is over 60,000; judged by Mr. Laurie, he is nearly \$50,000 too high. I have also taken the trouble to look at the cost of the iron girders erected on the existing railways in Nova Scotia, and I find at the rate per mile which they cost, the sum would be below either of these calculations.

Now when I found that on our present railways, on the estimate for the Intercolonial Railway, on the estimate of Mr. Laurie for this very Railway, all are largely beneath the estimate under discussion, I cannot help thinking that the calculation is excessive. If, then, I have shown an over-estimate of \$100,000 in the charge for superstructure, and of \$50,000 in the charge for iron girders, leaving Mr. McNab for the present and looking at Mr. Fleming, I ask, have you confidence that Mr. Fleming's estimate is not extravagant?—I can understand how the discrepancies would be reconcilable if we were at liberty to assume that the section work was computed at less than it could be done for, and that the principle was adopted of making up upon one service what we lost upon another, but were we to make any such allowance we would be doing a gross injustice to Mr. Fleming. He says that he computes on the basis of the tenders actually accepted. When, therefore, he undertakes to make this estimate so entirely in excess of Mr. Laurie's and of his own on another road, in a case where, by becoming contractor, he has made himself personally interested, one must feel himself treading on tender ground in approaching the investigation. I shall, however, assume Mr. Fleming's calculation to be correct, and that mine represents the cost at the same rates of the reduced road. We will first have the amount of the sectional work, \$875,598. Then I have taken the cost of the iron girders. I will not press the point so far as to take it from his own estimate, but I will give him the benefit of Mr. Laurie's estimate of the Pictou road. This

amounts to \$92,868, then comes the cost of superstructure with 5 per cent of sidings.—This again I will not put at his Intercolonial estimate lest I should be thought to press the point. I give him again the benefit of the enlarged estimates of Mr. Laurie which are equal to \$20,000 in his favor. This will yield \$419,152.80; I take his own estimate for ferry service, for station buildings, and for engineering, and what is the total? Not \$2,216,600, but \$1,522,768.67. I am willing, not knowing what the extras may be, to throw in for that item \$100,006, making a total of \$1,622,768.67. I have not deducted the contingencies, though on the section contracts nearly half of the work, there should be none by the terms of the contract, because the case does not require cheese-paring to arrive at my results, and I give the entire benefit of the 10 per cent. for contingencies, amounting to \$162,271.86, which will make the whole amount to \$1,764,890.52, being several hundred thousand dollars less than the sum for which Mr. Fleming has undertaken it. Now I may have been in error in my calculation of the item of \$965,000; I have made it \$876,000, making a difference of \$89,000, but throw that away and you have still an enormous margin remaining. When we are told that Mr. Fleming has undertaken the work at \$100,000 less than his own estimate, the Government forgot to tell us that he is receiving a large benefit under his contract—that during the ballasting of the road he is entitled to the use of two engines with the cars necessary to accompany them.

I have ascertained from well-informed persons that there will be three sets of cars for each locomotive, one for loading, one for moving, and one for tilting, so that 50 cars for 100 days will be required, at the lowest calculation making an amount of \$10,000. It may be thought an insignificant amount, but \$10,000 is something. When we are told that the contract is for \$100,000 less than the estimate, we are not told that the nature of the work has been changed by one-ninth being taken off the width of the entire road, and by alteration in gradients, curvatures and alignment.—we are not told that out of the public chest \$10,000 is to be given for the use of cars in ballasting, and not only that, but that the entire material for constructing the work, costing probably \$10,000 more, is to be carried over the public railways free of charge, leaving nothing but the handling to be paid for by the contractor. Not only has he the right to carry his entire material free, but every man in his employ as well, so it is impossible to calculate these benefits in ballasting, free freight and passage at less than \$20,000. If these be the facts, by my calculations the whole cost, assuming that the work can be done at tender prices, is \$1,704,968, throwing in the \$80,000 to which I before referred, and this will leave about \$300,000 as a margin for the benefit of the contractor.

The government were desirous of placing on the table the contracts and tenders for the entire line to show that these small contractors were unable to do the work, and knew nothing about their business. The memorials, lately put on the table, have been read to the House to show that their undertakings were at prices at which they were unable to fulfil them, but I have looked at the estimates for the entire line, which have been introduced by the Govern-

ment. Mr. Jones' tender, if calculated correctly by Mr. Fleming, puts the cost of the sections at \$1,049,570, that is the charge for grading; to finish the road an additional sum of \$746,000 would be required; add for extras \$100,000, and I have thrown in for contingencies on that portion that should bear it (I mean all except the sectional contracts, which are not liable to this charge), \$74,600. I have then taken for a credit the privileges referred to, amounting to \$20,000, and this estimate will show that \$1,850,190 would have been the entire cost of the work if Jones' tender had been taken. Mr. Jones, it should be remembered, is a railway contractor of some repute, and therefore when he came forward and offered to do the work, as originally designed, at that rate, we have a right to assume that he could have done the diminished work at a much lower price, and that if he could have cleared \$266,000 on the larger work, at Mr. Fleming's estimate, he would have made a very handsome operation by getting the work diminished, as Mr. Fleming himself puts it, by over \$200,000. Mr. Jones cannot be said not to have known what he was about in making that tender. I am not acquainted with Jones' ability, but I believe him to be a man of high standing in his profession, and quite capable of fulfilling his engagements. But if there were any doubt on that point, let us take the firm of A. Gordon & Co., including some of the wealthiest capitalists of Halifax and Pictou. They undertook to build the entire work, on the larger scale, for the sum of \$1,203,488; therefore that tender, higher than Mr. Jones' by \$152,908—even supposing Mr. Jones incapable of doing it at his estimates—placed in the hands of the Provincial Secretary information to show that these capitalists could have carried on the line to completion, and with a work at all events \$200,000 more costly than the present work, for \$113,602 less than they are now paying to Mr. Fleming.

Mr. ARCHIBALD concluded, for that evening, by moving the following resolution:—

Resolved, That the private contract recently made with the Chief Commissioner of Railways and Mr. Sanford Fleming, for the construction of the Pictou Railway, is not only a violation of law, but as a precedent is dangerous in its tendency. That the guards and checks provided by law in reference to the expenditure of the enormous sums of money voted for railways, are intended not only for the protection of the pecuniary interests of the Province, but for the preservation of the purity and integrity of the Provincial Administration; and this House feels it to be a solemn duty to protest against an act which, whatever the character of the act itself, may be a precedent for the most dangerous abuse of Executive power."

The debate was adjourned.

The House then adjourned until 3 P. M. next day.

FRIDAY, March 16, 1866.

PETITIONS.

Mr. MCKAY presented two petitions against Confederation.

Mr. COLIN CAMPBELL presented a petition on the same subject from Digby.

Also a petition from Westport praying for a tri-weekly mail.

Also a petition from F. W. Potter and others asking a change of mail route.

Mr. KILLAM presented a petition for an amendment of the law in reference to river fisheries, and also introduced a bill to amend chap. 79 of Revised Statutes in reference to harbours and harbour Masters.

Mr. LONGLEY presented a petition from the Postmaster at Bridgetown asking for an increase of salary.

Mr. D. FRASER a petition from J. Marshall asking for the refunding of certain money.

Mr. EBB, several petitions from Lunenburg on the subject of Confederation.

Mr. ROBICHEAU introduced a bill relative to school lands in the county of Digby.

Mr. HATFIELD presented a petition from inhabitants of Argyle respecting dams and fish traps on the river. Also petition of inhabitants of Yarmouth regarding river fisheries.

Mr. BLACKWOOD, a petition from inhabitants of the Gulf shore praying for a light house on Amet Island.

Mr. COFFIN, a petition from Cape Sable Island praying for assistance towards a ferry boat.

Mr. BALCAM, a petition from inhabitants between Spy and Ship Harbours respecting the river fisheries.

Mr. C. J. CAMPBELL, a petition from inhabitants of Little Narrows, Victoria, asking for the repeal of the Act of 1862 respecting Church property.

Mr. MCFARLANE, a petition from Pugwash in respect to a light house.

Mr. KAULBACK, a petition from inhabitants of Chester in reference to road improvements.

Mr. BILL, petition from Cornwallis respecting Confederation.

Mr. E. L. BROWN introduced an act concerning the School Lands in the township of Horton.

MABOU HARBOUR.

Mr. BOURNOT presented a petition which he had received from the County of Inverness asking for a grant of money for the purpose of opening up the harbour of Mabou. The petitioners pointed out that they have no port on the West coast of Cape Breton accessible to vessels of any size, that Mr. Perley, C. E., had reported strongly in favour of the project that they had subscribed themselves largely. They had sent him the petition in all probability because some years ago when the Pictou railway was under consideration, he had alluded to the desirability of a line of steamers being put on between Pictou, Mabou, Port Hood, etc.

Mr. S. McDONNELL presented two other petitions from the inhabitants of the county of Inverness for the same object; also in connection therewith, a copy of list of subscriptions for the furtherance of the work. The question had been frequently before the house and every one acquainted with its character must see its great importance. The West coast of the Island of Cape Breton required such a harbour for its trade. Mabou might be made a magnificent port with an expenditure small in comparison with the great benefits that would result from opening up the noble country around the locality in question. Gentlemen were found advocating the desirability of railways being extended to the remote West, and could not refuse to support this very mode-

rate demand from Cape Breton. The people of Inverness had themselves already subscribed £2000, thereby proving the desirability of the undertaking.

Mr. BLANCHARD said that he had presented a petition of a similar character two years ago, and the result had been that the government had sent an engineer to Mabou who reported that \$20,000 would open up the harbour. The records before the house would prove conclusively the advantages that would result from this project. He alluded to the fact that the district bordering on Mabou, according to the last census, owned more cows, and produced more butter, than Shelburne. The coal mines, too, of the district were among the finest in Cape Breton. He presumed that the petition had been sent to the hon. member for Cape Breton in consequence of the interest he always took in that section of the Province. All the members for the island recognized him as their leader in all matters connected with its progress and prosperity. He hoped that the hon. member who was a supporter of the government would press the claims of the petitioners to favorable consideration.

Mr. LOCKE said that it was very evident that Inverness had plenty of cows from the manner in which the hon. gentleman had tried to butter gentlemen opposite. He doubted the expediency of making such grants.

Mr. BOURNOT said that it was only necessary to mention Cape Breton to get the member for Shelburne to his feet. As respects any influence he himself might have with the government he would say that he could not even obtain for his own county that amount of assistance to which it was fairly entitled and therefore it was not probable he would be successful in any application he might make on behalf of the constituents of the hon. member for Inverness.

Mr. MILLER regretted that the time had not come when the hon. member for Shelburne could acknowledge the claims of Cape Breton to consideration. He thought that no money could be more wisely distributed than for the undertaking in question.

Mr. MCLELAN asked the government for certain information.

PICTOU RAILWAY.

Mr. ARCHIBALD resumed:—I owe to the House an apology for having already occupied so much of its time, and I feel that nothing could afford me an excuse for trespassing further on their attention in a matter which is of such a nature that it can hardly be made interesting, excepting as it involves consequences of the most serious character. I am quite aware how difficult it is to attract or secure attention to calculations necessary to be made to understand the question, but in themselves most uninteresting; but these calculations must be placed before you, in order to show the connection of facts. The task, however, is dry and difficult, and I should feel I was not discharging my duty if I asked any more of your time than is absolutely necessary to complete the outline of my argument. My purpose, yesterday, was to show first that the Government had violated the law. I think I proved distinctly that they had no power to make the contract which they have made with Mr. Fleming. That they violated the law, because the contract

could only be made by tender. But there is another ground on which the contract is illegal; it is provided by the Statute that all contracts to be entered into shall be guarded by such securities, and by such provisions for retaining a portion of the monies, as will ensure protection to the public. Not only is it required that no contract shall be entered into by private bargain, but it is required that the bargain, when made by tender and contract, shall be guaranteed by securities; and yet on the face of this contract, in violation of law, of the Statutable provisions on this subject, in violation even of the natural deductions to be drawn from report of their own officer, showing that the contractor could not accomplish the work without large personal loss, there is no provision for security. The contract, then, is not only void as being contrary to law, but it omits many features which the law contemplates. I also showed that the law had been violated under such circumstances of concealment as to throw around the matter a shroud of suspicion and doubt, and I showed that when the Government had called upon their engineer for his advice, we had on the face of his report, stamped indelibly, the evidence that his advice was valueless,—that he did not express such an opinion upon the proposals submitted to them as was justified by the circumstances.

Not only so, but I shewed that the calculations made by Mr. McNab, so much in excess of Mr. Fleming's, were largely beyond Mr. Fleming's estimate on lines in which he was not interested, largely beyond Mr. Laurie's estimate, made under circumstances which render it impossible, they should be considered as other than ample. I produced evidence from the public records to show it was impossible that the government in relying on Mr. McNab's advice were relying upon that in which they should have reposed confidence. At this moment the contract with Mr. Fleming is legally not worth the paper upon which it is written. If he were to go into any court of law he would not have a shadow of foundation for a claim against the Province of Nova Scotia. But what matters it whether the bargain is valid or not? The men to whom you have entrusted the public affairs control the treasury, and were that contract ten times more illegal than it is, so long as they remain the Government, they retain their power to take out of the treasury the money they have agreed to pay. The contract is as effective as if it were legally binding. As if to deprive themselves and their successors of any power or control, not content with the conditions of contracts adopted in every other instance which require the parties to find sureties, they have dispensed entirely with that provision. Now I have been informed that the amount generally paid by the principals to their sureties is about 2½ per cent of the entire sum;—if that be the case, the very fact of exempting Mr. Fleming from finding these, is equal to a present to him of \$50,000, assuming that he should require to procure security on the usual terms. Not content with entering without sureties into a contract with him by which their officer says he has under-estimated the work by \$250,000 they also relax the conditions usually inserted by which it is provided that 15 per cent of the monies shall be retained, they have only stipulated for a deduction of 10

per cent in an expenditure of a couple of millions;—the 5 per cent they give up amounts to \$100,000, so that on the very face of the contract, they have placed at his disposal \$100,000 more than other contractors could have had.—They have, however, gone further, and have provided not only that 10 per cent shall be the limit, but that even that shall not be reserved when any portion of the line is finished.

How is it to be ascertained what Mr Fleming is to be paid? Under the original contracts, where the parties were to receive pay according to the work done, it was perfectly plain and easy; but in this instance the work is to be paid for as it is finished. Suppose two miles are finished, on which there is not one heavy piece of work such as an excavation, an embankment, or a bridge, is he to be paid according to the mileage? It is clear that in this particular the Government have no check or guard by which the public interests are to be protected. Mr McNab's certificate will entitle Mr Fleming to be paid, and yet there are no means by which Mr McNab can give a certificate that can be relied on as correct. I asked the Provincial Secretary recently how it was that the engineering staff were employed. He replied that the surveyors were in the service of the Government, but that their salaries were chargeable to Mr Fleming. It is by the report and certificate of these gentlemen that he is, in the progress of the work, to be checked and controlled; and therefore I ask the House to consider the position he occupies in reference to these engineers. Who are they? They are the employes, the friends, the gentlemen whom he has been instrumental in bringing on the line, and over whom he exercises the natural influence which must be possessed by the man who has given them their positions and pay; and without looking at all to the dark side of our nature, but looking only to the best sentiments of the human mind—looking to the feelings of gratitude for past favors, to the partiality which kind treatment inspires, and to the anticipation of future kindnesses, I ask can we expect from these officers that supervision and control which the interests of the country requires?

If have shewn you facts which prove that when Mr McNab was called on to report the condition of the line, he has not undertaken to tell you the extent of the alterations made—of that enormous alteration by which five per cent on the entire cost of grading is saved, nor what curves or grades have been altered—can you expect these gentlemen to exercise a vigilance and care which Mr. McNab himself did not evince? Supposing these gentlemen to be entirely honorable—and I do not regard them as otherwise—and suppose that they have every disposition to discharge their duty fairly, can you expect that vigilance, care and protection which you have a right to expect from officers on whom so much is to depend? The House can hardly form an idea of the very great and important alterations that may be made in a single particular. Supposing a railway cutting to be twenty feet deep, and the grade is raised a single foot in a road bed of 22 feet,—the alteration does not affect merely 22 feet at the base, but it affects 83 at the surface; every cubic yard in the road bed of such a reduction amounts to four cubic yards to the contractor. An embankment is nothing but a cutting re-

versed, so that the principle is the same. This shews that in a single mile, a change of very small extent in a grade may save a larger sum than any one would be disposed to imagine.

Now, let me ask, what course should the Government have pursued in this matter? I think the Provincial Secretary before long will be convinced that it would have been to his advantage to have considered this question carefully before he acted. If there be any one matter more than another which must shake the confidence of the people in the men controlling their affairs, it is the assumption of this grave responsibility when there was no necessity for it. The bargain was made on the 10th January, and if the Government had found difficulties arising in consequence of the contractors not proceeding with the work, they could have carried it on at the expense of the sureties, or suspended the works until the Legislature met. From October until January, operations were carried on, not under the law, because the Government relieved the sureties, but by taking money from the treasury, and paying for the amount that was being done. This was bad enough. Why did they not continue this mode from the 10th January till the House met? If they thought the matter of sufficient consequence, why not call a special session at the time of year when we annually assemble? Surely the right course would have been to summon the House, to submit the difficulties, and ask the opinion of the Legislature. If the government had adopted this course, and had proposed to us to sanction such a contract as they undertook to make, are there ten men in this House of any party who would have given it their assent? Have we not lately heard the Commissioner of Railways, at this very session, speak of the exasperation which the policy of the government has produced in the county of Pictou? And why is every man in that county, friend or foe of the administration, of one mind on this point? Is it not that they feel that their rights have been trampled on, and the law violated? Why has this exasperation been greatest in that county? Because there the facts are best known, and because there other things are known or believed, which have not come to our notice, but which may be brought here before this debate is concluded. I have shown that this contract was dangerous in its inception, and injudicious in its execution.—It has been followed by acts which have created exasperation. If the knowledge of those facts had been extended to other counties before the legislature met, where are the men to be found here of any politics who would have dared to put their hands to a transaction so injurious to the public interests. The Provincial Secretary will probably tell us as one reason why the contract should be entered into without delay that the Pictou Railway has been the subject of agitation ever since 1859. That one delay after another has occurred and that the public interests demanded an early completion of the work, but if haste is so necessary now, why was it that in November, 1864, there was no hurry? In the specification upon which the advertisements were issued occurs this clause:

“It is not intended that the works should be executed in a hurried manner, so that the cost would be enhanced thereby, while their stability and efficiency would not be increased.—

The object is rather to have all the works on each section executed at a minimum expenditure and with thorough permanency. Contractors will, therefore, be guarded by these considerations in making up the prices, as ample time will be allowed for the completion of each contract, such time to be specified in the tender."

This was the policy of 1834. A year passes. What has altered the policy? Has the whole thing changed? Could the Government not wait from the 10th January to the 10th February, or till the House met to obtain its sanction to a matter of such immense consequence?

I have argued the question on the supposition that Mr. McNab was only incompetent, that he acted in accord with his honest convictions, believing the correctness of the report he made, nor have I charged Mr. Fleming with acting in any manner differently from what any other railway contractor would act, but suppose I were at liberty to entertain the idea that Mr. McNab could be seduced, suppose I could conceive Mr. Fleming capable of acting as other Railway contractors have acted, suppose I were to dare entertain the idea that any member of the government could be approached, I should tremble at the very thought. But I urge my views upon no such grounds, I seek no advantage from any such suppositions, I ask you to believe Mr. Fleming to be as free from suspicion as the purest of Railway contractors, to suppose Mr. McNab entirely upright, to believe every member of the government acting with strict integrity, and my case is as strong as I wish to put it, for though you may have no such condition of affairs at present, will you always have an immaculate administration? Are you sure that you will never have in charge of the treasury men who are capable of sacrificing the public interests to their private gain? Can you always be sure of a Government every member of which is exempt from the passions and frailties to which poor human nature is subject? If you are not sure of all this, then by establishing such a precedent as this, you will be placing about the necks of your children a weight that will inevitably drag them down to ruin and destruction. If you say the present Government may put their hands in the public treasury, may make private bargains with contractors at their free will and pleasure, you open a door to the grossest and most unbounded corruption; you place in the hands of future governments the power to open the flood gates of ruin upon the country. I implore the members of this House to consider themselves on this question not as adherents of a party, but as representatives of the great people standing behind us; to forget political prejudices and passions; to recognize as high above every other duty that duty which as patriots we owe to the people of this country, whose present and future prosperity is involved in our present action. I implore the House to pause before adopting a policy pregnant with ruin to the best interests of this Province, and I trust and believe they will decide this great question with the impartiality which its importance demands.

Mr. Archibald concluded by moving the Resolution given previously.

REPLY OF HON. PROV. SECRETARY.

Dr. TUPPER then addressed the House in reply to Mr. Archibald as follows:—

Mr. Speaker, I regret that I am so incapable to-day of entering upon the discussion of this question, but after having patiently listened to the remarks that have fallen from the hon. leader of the Opposition, and given them my most careful attention, I believe that, however indisposed I may be physically, the facts of the case that I have to present to you are so clear and unequivocal that I shall be able by a few observations addressed to the point to dispose in the most satisfactory manner of the charges and imputations which the hon. gentleman who has moved the resolution now before you has thought proper to make in the course of his very earnest and impassioned address. The hon. gentleman, when addressing the house yesterday, alluded to the very stinging remarks which would fall from me when I had to reply to his observations; but, sir, I do not intend to imitate the bad example which he has set this house. In the discussion of a great public question he has felt it necessary to ransack the English language for terms of obloquy and reproach directed against those who are entrusted with the administration of public affairs. Sir, he has done worse than that—he has assailed the reputation of others who are not here to vindicate themselves, but who, I believe, are prepared, at any time or place, to show that they are deserving of confidence and respect as much as the honorable member who has taken such unwarrantable liberties with their names. I am restrained by many considerations from imitating the bad taste of the hon. member in bandying terms that are any thing but parliamentary across the floor of this house. I do not forget, even under the influence of the observations that he has ventured to make, that since the present administration has been called upon to transact the public affairs, they have, from time to time, received from that hon. gentleman an amount of support and co-operation that it is not usual for governments to receive from those in opposition. But I am restrained by other considerations;—I believe if ever there was a time in the history of this country when it was necessary that public men should not unnecessarily place themselves in personal antagonism to each other, it is the present crisis in the public affairs of this province and of British North America. The public man who endeavors at this time to increase, by any means, the breach that must exist to a certain extent between gentlemen who are politically opposed to each other—any man who, by a careless or violent expression, places himself in such a position as not to be able to co-operate with other public men on questions of great public importance—certainly forgets what is due to himself and what he owes to the best interests of his country.

I feel, at the same time, that it is right that I should draw the attention of the house to one or two circumstances in connection with the management of this question by the hon. and learned leader of the opposition, which, I think, are calculated to raise the impression on the minds of members of this house, that he had not exactly such a case as would enable him to extend those courtesies which

are usual in the Legislature. I ask this house if they recollect an instance—and I appeal to the oldest members here—when a leader of the government or of an Opposition stated that a learned gentleman holding a high position in the Legislature, who was anxious to take part in the discussion of a great public question, was, from illness, unable to attend, and asked delay in consequence,—I ask you whether, under such circumstances, the request was ever before refused. I feel it right that I should call your attention to another circumstance in connection with this discussion which presented itself yesterday. The hon. member assailed the reputation of a public officer in this province, a gentleman whose good name is as dear to him as that of the hon. member is to himself—and when I rose, as is customary in this Legislature, and asked permission to explain a matter on which the hon. gentleman was basing arguments entirely inaccurate—arguments bearing directly upon the character of the officer he was assailing—he refused, point blank, to listen to a single word. Sir, it was for the first time since I have had the honor of a seat in this House that I have seen an honorable gentleman set the pernicious example of refusing to hear explanations on a subject on which he was basing the most serious imputations against another. Why was it that a gentleman holding the high standing of the hon. member should, on a question of law, feel compelled to refuse the courtesy of delaying the debate until the first Crown officer should be able to attend in the House? Was it because the hon. gentleman knew and felt that forced as he is to this discussion by causes which gentlemen can well understand, he must resort to any means available in order to make any stand on the question? I believe the hon. gentleman knew that I was going to make a statement to this house that would in one moment have swept away the total platform on which he was constructing an argument in order to strike down the reputation of a public officer. I do not intend, however, to allow these matters, calculated as they are to excite strong feelings, to draw me from the consideration of this question, which I am prepared to make so clear and conclusive, as to ask both those inside and outside of the legislature, irrespective of their political sentiments, whether the government have not taken a position in this matter which entitles them to support and confidence.

The hon. gentleman has stated that the government have violated the law, but I am prepared to prove that it is not so. The course which has been adopted, and upon which he has laid such stress, was not only in conformity with the strict letter and spirit of the law, but with the practice that has existed from the hour our railway works were first commenced. I am prepared to go further, and satisfy not only my political friends in this house who may be willing to be satisfied, but the most bitter political opponent I have, that the course we have pursued has not only received the sanction of law and precedent, but is one to which we were compelled, in the public interests of this country—in order to accomplish that which should be the first object, with any government,—the construction of our

public works in the most economical and expeditious manner that was practicable. The house and the intelligent people of this Province have already been furnished with the fullest information on the question. At the very first opportunity I had after the meeting of the Legislature, I came forward and told a round, unvarnished tale, and placed the facts of the whole question before the country, and the hon gentleman has failed to impugn a single one of these facts, as all can bear witness. And what has been the response? It is not difficult to understand the position of the hon. gentleman. It is only now, the third session that the government have been conducting the public affairs of this country, that he has ventured to raise a question touching their position, or the mode in which they have discharged their public duty. The hon gentleman has been driven to take this course notwithstanding the striking fact which I bring to your notice that when these statements were made to the house, the only observation that he uttered was one calculated to create the impression that the course pursued met with his approval. Again, when this question was brought under the review of as intelligent a press as ever existed in this or any other country, with the exception of the most insignificant portion of it, all gave this transaction the sanction of their approval. Why was this? The facts connected with this matter were so clear that there was no man prepared to say that he was ready to challenge the propriety of the act. But the hon. member has let out the secret why he is now so anxious to make political capital out of this question. He tells you that the county of Pictou is exasperated, and therefore thinks he has an advantageous opportunity of assailing the Government. Does he suppose that the people of that county are so devoid of intelligence that when they find that the Government, who, unlike their predecessors, have carried out their pledges—have acted throughout this transaction with an honest desire to promote the country's interests and hasten the construction of this great public work,—does he suppose that this people, in their calm moments of reflection, when they clearly understand this matter, will not approve heartily of the course that has been pursued?

The hon. gentleman has undertaken to show the House, by calculations which he has himself made that the arrangements that have been entered into are injurious to the public interests. I will frankly tell the House that there are half a dozen prominent points standing out upon the whole of this transaction, so conclusive as to render it unnecessary that I should attempt for a single instant to follow the hon. member through the various calculations which he has made. This house has had some experience of calculations of this sort. When it suited the hon. member, he has been found exaggerating the cost of this public work; when he wished to place the government in a false position before the people of Pictou, he was heard representing its cost at a very trivial figure. At one time it is to cost \$3,000,000, and at another \$1,500,000. The calculations entirely depend upon the fact whether the hon. member has any political purpose to serve. I can show the hon. member himself that the long array of figures with

which he has wearied the House, are not worth the paper on which they are written. I would not like to attribute the statements he has made to ignorance; but it is impossible for any man who can read, who can count up a column of figures, to make such assertions as he has in connection with this subject. Any gentleman who has a talent for dealing with figures can make up any case he pleases; but I shall call attention to a few points that will convince the hon. member himself that he never did a greater injustice to his own reputation than when he attempted to make the assertions he did.

When we came to consider the question of the Pictou Railway we were not groping in the dark—we were not dependent upon any one person for the data on which to base calculations. The house will believe me when I say that no engineer in any country ever enjoyed the confidence of the present administration to a greater extent than did Mr. Laurie—no engineer was ever tried more thoroughly, or came out more triumphantly from the crucible than that gentleman. The government, when they undertook to deal with this important question of the construction of a railway to Pictou, called upon Mr. Laurie to organize a staff of engineers for the purpose of surveying the line. What may be the line of conduct that hon. member has thought proper to pursue in dealing with engineers, I am not aware, but he intimated to the house that the government had told Mr. Laurie to exaggerate the cost of the work as much as possible. I tell him that there is no member of the present administration who would not consider he was unworthy of his position if he was capable of endeavouring to originate a report that would mislead the Legislature. What must be his feeling on meeting the public officer from whom he was endeavoring to obtain a fallacious statement. I do not, however, believe that the hon. member ever entertained such an impression of the present Administration, and I would be sorry to believe that the time would ever come when this House would think that any Government, or any member of it, could assume a position so utterly despicable. Mr. Laurie, knowing how anxious the Government were to carry out this public work, and to bring its expense within the smallest compass possible, reported as follows—and I am now reading from the Journals of 1839:

“The above estimate (£520,225) includes the 40½ miles of road from Truro to Aberrombie Point, with a branch of 2½ miles to the coal loading ground, also wharf and ferry accommodation at Pictou, the average cost being about £12,000 per mile.”

It will, therefore, be seen that we were not in the dark as to the cost of railway construction. We had also the experience of the previous construction of railroads in this country. We knew that railways were luxuries to our cost. We had the figures upon our Journals to prove that the railway to Windsor had cost over £12,000 a mile. Who does not know the difference between the country then and now? The cost of living,—all the articles that enhance the price of labour—have nearly doubled. The house will understand that when the government considered the cost of our railway to Windsor, and the fact that the

line to Pictou was most difficult of construction, they were not surprised when Mr. Laurie stated that he was not prepared to put down the expense of the line to Pictou at much less than he stated. But I shall come to the facts that the government had in their own possession to show them what their road would cost the people of this country. Tenders were advertised for and they came in, and on the Journals of the house will be found the report from Mr. Fleming, than which no public document was ever more grossly misrepresented than it was yesterday. Charity compels me to think that the hon. member had never read these papers over—but that he had some disappointed railway contractor at his elbow who had not been able himself to get possession of this work; for otherwise the hon. member would never have presumed to make the statements he did. His whole argument was based on the fallacy that the specification, the grades and curves, &c., contained in the report of Mr. Fleming on these Journals, was the specification upon which Mr. Fleming's original estimate was made. Read this document and you will find the state of the case. In the first place, the law was carried out which wisely requires that in the expenditure of public money for a great public work, the house should have the knowledge that the sum expended from the treasury is as small as possible,—that they should have the evidence of fair and public competition of what the work will cost. When the work had been put up to competition—when the tenders were in our hands and we were in possession of the lowest that the engineer could advise us to take, Mr. Fleming was only *then* in a position to make an estimate, which was not merely hypothetical, but one that the data in his hands enabled him to make. He stated that, supposing these parties could perform the work for the sums they had tendered, the road would cost—the materials and work, which are outside of the works contemplated in these tenders being furnished—\$2,216,500. The house will perceive that, with the various classes of work thus fixed by tender,—and an accurate knowledge having been obtained as to the cost of that portion of the work, Mr. Fleming could easily calculate what would be required for the bridges, steam ferry at Pictou, etc., and was able to give to the government an estimate, which would be a very close approximation to the actual expense of this road. But this was larger than we desired, and we therefore asked him if it were not possible to bring the cost of the road within two millions of dollars. In reply to this enquiry, Mr. Fleming informed us that the road contemplated in his estimate would be of a very superior character. We, then, told him that we would be satisfied with a road more like that we have now, if he could bring the cost to \$2,000,000. Having been thus called upon, he subsequently informed us that he had made changes in the specifications—and the Journals show all these alterations in width of road, and the grades, and curves for they were submitted to the House, are here, and up to this moment there has been no alteration. When Mr. Fleming had altered the road-bed, the grades and curves as they are here detailed, all he would undertake to say, having the best possible means upon which to form

judgment, was that the road might be built for a sum, "not greatly exceeding two millions of dollars." That was the position of the question when we brought it before the house last session. And what did the hon member say when that report came in? Did he assume upon these data upon which he has so suddenly grown wise, and undertake to say that this road could be built for \$1,500,000? No, sir, but he put a resolution upon the Journals of this house, declaring that the altered location of the line had largely increased its cost. A reference to the debates will show that with all this information in his hands, instead of endeavoring to intimate that the road could be built for a small sum, he estimated it at two millions, and so argued upon the question before the house.

I must here draw the attention of the hon member to the fact that he is unable to read English, or, knowing how to do so, he has taken a liberty with the intelligence of this house on a great public question, such as no gentleman ought to take. In Mr. Fleming's detailed estimate, stating the amount required for all the services, he puts down \$965,000 for the section tenders, and then adds an allowance of \$300,000 for extras—foundations of bridges, road crossings, &c., and iron girders; and the hon member was disingenuous enough to discuss the question for half an hour as to whether any extras should be allowed.—This paper itself showed him that there was not the slightest shadow of a support for his argument. The allowance for extras on section contracts is followed by a dash, and then these extras are detailed to the amount of \$390,000 as follows:—Allowing for extras on section contracts, foundations to bridges, &c., road-crossings, cattle-guards, grading for stations and sidings, &c., &c., \$250,000, iron girders, \$140,000; making a total for the road bed of \$1,353,000. This amount of \$965,000 is that for all the section contracts. The remaining articles are all matters of calculation, and an approximate estimate brought the cost of this road up to \$2,216,500; and the government, therefore, had a right to believe that this estimate was reliable. As the main body of the work was settled by the tenders actually received, which it was fair to presume would be sufficient. The Government soon found that this estimate of \$965,000 was based upon a fallacy, that these parties could carry out the work, as Mr. Fleming believed they could for the amounts which they had tendered. The works were engaged in, and whilst they were dragging their slow length along what happened? After having paid the parties in full for the work they had performed, you have three memorials now on the table of the House from Contractors who say that, under these contracts, they had lost most heavily. The first thing that occurred, soon after, at the inception of the work was a visit from a deputation of railway contractors to the Government. And let me say if ever there was a man disposed to assist the railway contractors and deal with them most liberally it was Sanford Fleming. This deputation came forward and stated that so great was the cost and dearth of labour that it was impossible for them to perform their work for the amount they had stated. Now if the Engineer, as has been insinuated, had been desirous of embar-

assing these men, what would he have told us when we called upon him to advise us? He would have said:—"You must hold these men to their contracts, it is their own business to find labour." However, he did nothing of the sort; he advised us to assume the great responsibility of saying to these men that we would assist them to the extent of one-half the cost of bringing the labour into the country. Mr. Fleming said: Your great object is to get the work done as cheaply, and expeditiously as possible, but unless some such step is taken you will not have your road constructed for years, and only then at the ruin of the contractors. Under these circumstances the Government assumed the great responsibility of assisting the contractors to obtain labour from other countries. This went on for a while, and the next thing that met us was that one of the most energetic and industrious contractors came to us and said, the payment is not enough; the money is not in the work, and unless you advance me an amount beyond what I am entitled to I must give it up. On reference to the Engineer his reply was that the statement made by the contractor was perfectly correct, and that the advance should be given in order to relieve him. Then the question came up as to the amount that should be paid to another contractor for an alteration which was proposed to be made in the mode of carrying on the works. Mr. Fleming said: The amount he asks for making this alteration is more than it is worth, but his prices are low and so unable is he to complete his contract at he will be brought to a standstill if not assisted, and I therefore recommend you to give it. I do not know what impression this statement will make on you, but I can say that it led the government to believe if ever there was a man in this country who was anxious to assist the contractors to the utmost of his ability, he was the Chief Engineer.—The matter soon came to a crisis. One of the most respectable contractors came to the government and said that though he had exercised the greatest economy, the result of his contract was that he had been obliged to pay out of his own pocket an enormous sum of money, in order to pay his workmen and that he was ruined. In fact he threw up the contract. We then tried an experiment. We asked the Chief Engineer what we should do, and he recommended that we should put up this section (No. 7.) again to competition, and see what it could be done for. The result soon convinced us that if we accepted the lowest tender, which was much higher than the original contract, all the other contractors would throw up their contracts that they might have a chance of receiving a similar advantage. Again we applied to the Chief Engineer, and his advice was not to pursue that course which he thought would be ruinous to the government for it involved such an enormous addition to the cost of the line, but to take the work into our own hands, and perform it with our own Engineers, who with the skill they would be able to exercise could do it for less than the parties in question. Let me here observe that Mr. Cameron, very early in the contract, said that the class of masonry that the Chief Engineer was exacting for the bridge at New Glasgow was of such a character that it was impossible for him to do it within the limits of

the amount contracted for; and you have now on the table of this house a memorial from that contractor, also from Mr. Grant and Mr. McLeod,—all of them energetic men, stating that the sum of money which they were to receive was totally inadequate, and that they had to expend largely their own private means. With these facts before them what were the Government called upon to do? They felt that they had only one course to pursue, and that was, as the contractors were unable to go on, to call upon the Chief Engineer to report upon the whole condition of this work; to state what had been done; how much remained; what prospect there was of having the line constructed within a reasonable period. His reply was that years must elapse before the country could get the benefit of this work, and found that it was only by the government coming in and taking hold of it themselves that the Province could be relieved from the old story of having to pay heavy claims for extras. I ask this house did that, or did it not throw upon the government a solemn and serious responsibility? Had not the government the knowledge that the law had been complied with in its letter and spirit—that all that could be done to assist the contractors had been done—that the result had been to prove that the country must pay a large sum unless speedy measures were taken to prevent it? Were we not justified under such circumstances in pursuing the course we did? The leader of the Opposition said that it was a violation of law. He stated that the contract was made in violation of law. Sir, I hold under my hand a contract made when our Railways were formerly built, and when the gentlemen on the other side were in power—when this house contained some of the first minds of this country. The contract which we made with these men was precisely similar and had received the approval of the house, for it had been brought here and had not been condemned. And what did it provide? That if the work is not carried on according to contract—if it cannot be finished within the time specified, it shall be relet? No. *Under that contract the Government can take possession of the works and can carry them to completion in such a manner as they themselves may decide.* I ask you now had I not reason to look with suspicion on the hon. gentleman when he refused the courtesy we asked him to extend to the first Crown Officer of the country, and raised this question of law and assailed this instrument he had drawn in his absence.

For the reasons given the Government did undertake the work, and the country knew it. No sooner had they assumed that responsibility than a certain part of the Press of this country, supporting the Opposition, did all it could to obstruct them. The people were told that the Government were squandering the public money right and left, and that the work must cost at least three millions of dollars. I can easily understand the disappointment that certain gentlemen felt that the government did not pursue the course in question. It would would have been so eminently satisfactory to have been able to confront the government with the argument at the commencement of this session that the Pictou Railway was to cost three millions, and that it was therefore impossible to build the Windsor and An-

napolis Railway. It was of course a great disappointment that all their hope of making political capital was destroyed by the new arrangement which the government had been able to make in the interests of the province. The government, under these circumstances, agreed with Mr. Fleming to invest him, (as any government must invest the person who is Chief Engineer) with all but supreme authority to carry forward the undertaking, on the agreement that it would be completed not for the amount he had stated on the journals—a sum not greatly to exceed \$2,000,000—but for the amount of his original estimate, \$2,216,500, in view of the altered condition of things. What was the reason for this advance? That the prices upon which the first estimate was made had proved an entire failure—that only half the time was left to perform the same amount of work, and many unforeseen difficulties had arisen. The government believed that they were acting in conformity with the best interests of the country, and considered them only, when, under these circumstances, they made this arrangement with the Chief Engineer, as will be found fully detailed in the papers before you. We then found ourselves in this position. We had confidence in Mr. Fleming—we believed in his skill and integrity—and down to the present hour we continue to have that confidence in that gentleman; but we felt that when we came to the Legislature and stated that we would be able to build the road for the sum mentioned, we would be immediately met by gentlemen opposite bringing forward calculations to prove that when the work was done the cost would be more than the most extravagant person had estimated. Looking at the fact that we had only the professional character of Mr. Fleming as a guarantee that the work would be done for the sum stated; that there were obstructions offered to the construction of the work, we saw that it was necessary we should change the plan. Every body knows that a private contractor can save money where a government must lose. We therefore said to Mr. Fleming, what will you do the work for as a contractor. We must bind you by your specification—the road must be the same you agreed to build, it must have every grade, every curve as you have laid it down in your report a year ago. Mr. Fleming after consideration agreed to accept the offer, and everybody knows that these matters form subjects of careful and anxious deliberation from day to day, and the fact that a paper bears a particular date does not indicate that a matter has been hastily concluded. Mr. Fleming answered that he would bind himself to do the work for \$100,000 less than he had agreed to perform it as a government Engineer. What would have been our position if we had hesitated to close upon such terms. Here was a mode by which the work could be well and quickly executed, under which no question of Extras could arise. We had for our guidance the cost of the Windsor line, Mr. Laurie's Estimate of the Pictou line, Mr. Fleming's own Estimate, and the facts which had arisen in connection with the construction of the line under tender and contract; in fact, we had everything that could lead us to a correct conclusion, and I have no hesitation in saying that if we had never submitted the question to

an engineer, we had sufficient data before us to enable us to form an independent judgment, and to assure us that we could come here and ask the approval of our most bitter political opponent for all we had done. We had, however, an engineer in the employ of the government who does not occupy the despicable position that the hon. member would have the house suppose.

This Province is Mr. McNab's adopted country, and he had been drawn to it by the dearest tie that can attract a man. Having placed before the government the credentials that he possessed—most conclusive evidence of his engineering talent and of his integrity,—we offered him a position as engineer on the Picton Line. He respectfully declined it, stating that his object was not to take any such position. He was living here, at the time that Mr. Perley, who filled the important position of Inspection of Bridges, received an offer of a better situation, which he accepted. Mr. McNab was appointed to the position vacated by Mr. Perley, and acted as government engineer to the entire satisfaction of the government and to the great advantage of the Province. His Reports which have been laid on the table show that he discharged his duties with an assiduity and ability such as his credentials gave us reason to expect and which led the government to place the utmost confidence in his sound judgment and integrity. When therefore the Government were called upon to deal with this matter, they felt it would be right if they availed themselves of the best engineering talent they could find. Mr. McNab had never any connection with Mr. Fleming, and I am not aware that he was personally acquainted with him up to the time these papers were placed in his hands. The Leader of the Opposition tells you that he will try Mr. McNab's report by Mr. Laurie, by Mr. Fleming, and by himself, and in all cases it must be condemned. I tell you if he will take the trouble to read Mr. McNab's report line by line he will find that he has attempted to do that gentleman a degree of injustice that is rarely witnessed in times of the fiercest political strife. The hon. member rests his whole case upon a mis-statement, as I could have shown, if he had allowed me. I tell the house that I can hardly believe the hon gentlemen pursued the reckless course he did through pure ignorance, for it looked more as if he was doing it advisedly for the purpose of misleading gentlemen here. In the first place he stated there was not time to make the report. Mr. McNab was not called upon to survey the Picton railway, but had placed in his hands by the railway department all the data required to form a judgment. The work he had to perform did not require much time, but could be done in a few days. Would any one hint that the data in the office upon which these calculations are founded are all wrong and fallacious?—that with a degree of cunning and dishonesty that could scarcely bear a parallel, this public servant has betrayed his trust—has been scheming to benefit himself? Are we to suppose that Mr. Fleming and every engineer on the line have been engaged in a nefarious plot to rob the treasury, in order to benefit a single individual? We must either believe this, or that these papers are reliable. The hon. member knows

that assuming, as we were prepared to assume, that these documents in the Railway Department were correct, what had Mr. McNab to do? It was not a matter of years or weeks, but one that an able Engineer could dispose of very shortly with the facts thus furnished to his hands.

Now let me turn your attention to the work itself and see whether the hon. member is in a position to make such reckless statements as he made yesterday. He told you that Mr. McNab had corrected Mr. Fleming's estimate of \$1,355,000 by adding \$219,736 and that as \$965,000 of that sum was fixed by the tenders, Mr. McNab actually differed with Mr. Fleming on an estimate of \$390,000 to the extent of \$219,736. He contended that Mr. McNab proved that Mr. Fleming was wrong in his calculations on \$390,000 to the extent of \$219,736. He based his entire case upon that. If there had been the slightest ground for such an assertion he might have had some reason to declare him incompetent. I have already shown you that the story of the extras of which he spoke was entirely inaccurate. Now what are the facts of the matter before us? Mr. McNab's report was based, as a reference to it shows, on the same materials on which Mr. Fleming made his original estimate. The hon. gentleman went on to show you that Mr. McNab had added to the cost of the superstructure, Engineering of everything in fact, and what then? In the first instance the hon. member asserts that he had increased Mr. Fleming's estimate by \$219,736, and then increased everything else—what then is the total amount? Mr. McNab's report shows you that the total increase over Mr. Fleming's estimate is \$69,232. Yet the ex Attorney General undertook to tell this country that in one item alone Mr. McNab had exceeded Mr. Fleming's estimate of \$390,000 by \$219,736. All that the hon. member had to do was to add up the figures, and look at the items. He would have seen that in Mr. McNab's estimate of \$1,574,736—as he stated in his report—all the contingencies are included while in Mr. Fleming's estimate the sums are given, with \$201,000 added at the bottom for contingencies. Yet with all these facts before him the hon. gentleman attempted to mislead the House, although he had Mr. McNab's statement before him, that this total increase was but \$69,332. Do I require another word. Suppose Mr. McNab had increased this amount by \$219,736, would he have had no data to go upon? When the government asked for tenders for the road, they not only asked for those for sections of 5 miles, but for the whole line—knowing very well that were all the contracts in the hand of one man of skill, he might save money, when the same if divided among a number of individuals, might ruin the whole of them. We received tenders from persons who had built many miles of railway, who had any amount of capital at their command, but the lowest tender from these persons—a Canadian—was \$1,049,770 instead of \$965,500 the amount of the section tenders. The hon. member seemed to think that a gross injustice had been done to Messrs Gordon & Co because they had not been allowed to secure the work. If he had looked at the papers he held in his hand, he would have hesitated before making such a statement, for they would have shown him that Gordon & Co.—very respectable men who had not only the means to do this work efficiently, but were as

sisted by the best contracting skill in the country—asked for the work, estimated at \$965,500, the sum of \$1,202,480. So supposing Mr McNab had added \$219,000 for that portion of the work, he would still have been lower than the estimate offered by men well qualified to judge and very anxious to obtain the contract. Mr D Cameron not only tendered for sections but for the whole line, and what do you think was the amount of his offer? No less than \$1,273,850. The result of this would have been that the work would have cost the province \$1,668,850 for what Mr Fleming estimated at \$1,355,000.

The hon member says that Mr McNab proves to the satisfaction of everyone that Mr Fleming must ruin himself. Will the hon member refuse to read the report in his hand? Mr McNab draws the attention of the government to the fact that contracts which might ruin individuals, might be successfully carried on by one man who has science and skill. Not only so, but he pointed out that whilst \$2,216,500 was Mr Fleming's estimate, it was not the work which that gentleman had undertaken to perform for \$2,116,500, as the character of the road had been altered. He showed clearly how the government could subserve the interests of this country and yet enable Mr Fleming to be able to carry on this work to a successful completion. Remember, too, in considering the matter that we have asked Mr Fleming, notwithstanding the failure of former contractors to do the work in half the time the original contractors had. The very measures that Mr Fleming detailed as being requisite that he should at once take in order to accomplish the determination that the people should as soon as possible obtain the road—those very recommendations proved to the House that a large outlay over the contract prices would have to be incurred that the time lost might be regained. The failure of the contractors to do the work within the prices of their tenders, the limited time in which to finish the line, and the additional expense incurred by the delay, were acts that obliged Mr Fleming to tell us that he could not undertake the contract for less than \$2,116,500. Then there is the matter of slides and contingencies of various kinds. Since Mr Fleming assumed the contract, thousands of dollars will have to be expended in the removal of slides, all of which were not provided for in the original estimate. Mr McNab had also the advantage of knowing that the whole of the rails, chairs and iron girders had been ordered and therefore could tell very nearly what the superstructure would cost. I asked the reason why he had increased the cost of engineering? Because, his reply was, I find that \$80,000 was estimated for this service; of this \$36,000 has already been paid and half the work is not finished. Now I ask whether the government, in reviewing these facts, had reason to discredit Mr McNab's report. There is not a line of it which an ingenious man can take up without having a conviction come over him that it is based on substantial facts.

One of the points for which Mr McNab is not responsible, but the Government, is the absence of sureties. The hon member in addressing the House said—and I am glad to find in the whole of his speech one small matter which I can corroborate—that if we had required Mr Fleming to give sureties, it would have cost him \$50,000.

He has given the reason why we did not require these sureties. He was quite right in saying that no man would become surety for such a work unless he was paid 2½ per cent. Mr Fleming was quite prepared to give sureties, but he told us this. I put this amount at the lowest figure I can do it for; if you wish sureties I will give you some of the most responsible men in British America, but I shall have to add to the contract the amount they will cost me. I have yet to learn what the value of sureties is; I believed then as now that to have added that \$50,000 to the contract would have been to throw money away without having any better security for the performance of the work. As it is now, we have the work in the hands of the original engineer who will have no possible claim to extras, and who is obliged to leave a sufficient amount of money in our hands for the protection of the public interests.

The hon member says that the masonry was not provided for—no plans of the bridges and masonry. I tell him that the contract points out in so many words, that Mr Fleming should build the work in accordance with his own specification in the journals and that the plans and specifications of the masonry were all made. He cannot lower a grade, alter a curve, or the width of an embankment or a cutting. The bridges are established by plans, and the description of the work is also provided for—indeed, of so high a character is it that the contractors declared it would ruin them. Now Mr Fleming is bound to build the work according to the original specification, as well as to have masonry just as superior as he required from the other contractors. Not only is the character of the masonry provided for, and established by the work already performed, but an order has been given to a Mechanical Engineer in England for the rails and girds—his instructions being to accept only best quality of material and the most superior workmanship. Therefore, if Mr Fleming was actually desirous of slighting the work, it is out of his power to do so. He is bound to perform the work in the most efficient manner by the terms of his contract, and especially by that part which stipulates that it must be done to the satisfaction of the Chief Engineer and equal to the style in all respects he had exacted from others.

The hon member also referred to the ballasting of the road; that part of the work is very difficult. It will require, I am instructed, to be carried for fifteen and twenty miles, and the engineer, in making his estimate has gone, in point of efficiency, beyond anything that has been done in this country. I am instructed that under the specification made with Mr Fleming we shall have a road 10 per cent superior to any that exists in this province. We know, I must add, that when we made this contract with Mr Fleming we had one great guarantee for the efficiency of the road; we have not only the engineering staff to inspect its progress, but every man who has been disappointed in the matter of contracts for the line will exercise the closest vigilance over the character of the work, and if anything is slighted we shall soon hear of it.

There is only one other point to which I wish to refer. We have not only complied with the letter and spirit of the law, but we have in addition these contracts, which enabled us to take this very course—and which placed it within the

discretion of the government in case of failure of contractors to carry the work to completion in any way we pleased. The hon gentleman says that this is going to establish a most fatal precedent, and though he has no fears of what may happen under our immediate successors, he stands aghast at the contemplation of the consequences that may result when our great grand children will have charge of public affairs. But is there anything novel in the course pursued. From the first hour that railways were undertaken in this country, the original contracts stipulated that the moment the contractors failed to carry out their engagements, the government were in a condition to step in, discharge them from one end of the line to the other, and to finish the work as they thought proper. I ask the hon. member if it has not been the practice on our railways from the first to give out thousands of dollars by private contract. I can go back, if the hon. member ventures to question my statement, and point to page upon page of the Journals, in proof of the fact that hundreds of thousands of pounds have been expended in this country without there being any public tender. Under the arrangements from the very commencement of our railway works the railway engineer could exercise the discretion of showing to the Commissioner or Government the advisability of giving to A B or C so much work for so many thousand pounds and it was done upon their approval. In view of such facts I am not surprized that the hon gentleman should refuse to extend the courtesy that was asked of him yesterday—of giving the Attorney General an opportunity of being present. I am proud to know that the Government stand on this question in a position that renders the absence of my hon and learned friend entirely unnecessary—in a position that enables them to ask confidently the countenance and support of not only those who ordinarily support them, but of those who oppose them. We can call upon gentlemen not to lend for party purposes themselves to the support of a resolution like that before the House—not to mind the temporary dissatisfaction that may exist in Pictou, for it must yield to the force of the real facts of this question. I have no hesitation in saying that the public man who comes forward at a public crisis like the present, and supports a resolution like this, assumes a heavy responsibility, for if it passed the House, it would break down the previous practice, and prevent governments from grappling with those great questions that must necessarily come up in the discharge of that public duty, from independently discharging their duty, and from saving the country large expenditures and losses.

It has been said that this arrangement was kept for many weeks from the knowledge of the country. Did not the explanation I gave the other day on this point recommend itself to the good sense of this House. We were forced to take the course in view of the fact that the Government were engaged in making the most favorable arrangements they could with the contractors and preventing the public money being sacrificed. Does it not commend itself to every gentleman of dispassionate judgment, that at a time when we were thus engaged, it would have been most prejudicial to the public interests had we gone to the

house-tops proclaiming the fact that Mr Fleming had obtained this contract. Did not the Government take the very first opportunity in the face of Parliament of giving full explanations on the question? I constantly meet with gentlemen who have been always opposed to me, and am gratified to find that they warmly approve of the course that has been pursued, as one that was most conducive to the interests of this country. I believe that this sentiment which prevailed outside with some insignificant and unworthy exceptions will find itself echoed in the Legislature. I am quite aware of the great difficulty that gentlemen have to get a question on which to oppose the Government, and I feel that there is great excuse for them, although they do assume such an untenable ground, when they attempt to convince the people that there is an *Opposition* in this country and that it has actually a *leader*.

I cannot believe, however, that there can be found any number of gentlemen in this House who are prepared to place upon our journals a resolution which implies that it cannot find public men of honour and integrity, in whom the country can place confidence and to whose keeping it can entrust the public interests of the country. Having in this matter in strict conformity with law and previous practice secured the prompt and efficient completion of this great work at a much less cost to the country than was anticipated or expected, we confidently rely upon the cordial support and approval of this House.

The House then adjourned.

Saturday, March 17th.

The House met at 11 o'clock, and resolved itself into Committee on Bills in which the following bills were passed:—The bill to incorporate the Washington Pier and Harbor Company, the bill to incorporate the Ophir Mining Company, and the bill to incorporate the Merigomish Coal Mining Company.

The Committee adjourned and reported.

The bills relative to the sale of school lands, at Horton, Digby, Truro and Onslow, were read a second time and referred. Also, the bill concerning a system of Sewerage in the city of Halifax. The bill relative to Commissioners of Streets in Antigonish, and the bill to incorporate Wallace Lodge of Good Templars, also bills relating to the City and County of Halifax.

Hon. Mr. SHANNON presented two petitions from Musquodobit on the subject of Education.

Hon. Mr. SHANNON introduced a bill to amend the act concerning the City of Halifax.

Mr. LAWRENCE presented a petition for change of post route. Also a petition for the increase of a Post Master's salary. Also a petition for a daily mail to Avondale. Also four petitions against Confederation, after which the house adjourned till Monday at 3 o'clock.

MONDAY, March 19.

The House met at 3 o'clock.

PETITIONS.

Mr. COFFIN presented a petition for the removal of river obstructions.

Mr. S. CAMPBELL presented a petition from Guysboro' for a daily mail.

Mr. HERR presented a petition from Dr. Jamieson and other inhabitants of Chester in favor of the continuance of the court of Sessions at Chester.

Mr. RAY presented a petition for post office accommodation.

Mr. McLELAN presented two petitions for the separation of the sale of groceries from that of liquor.

Mr. COLIN CAMPBELL presented a petition, asking that road monies to the amount of \$248, which had been lost in transmission through the post office to Digby, be refunded. He said that investigation had been made, and were being made by the post office committee, but that the only question before the committee was as to who should refund the money to the government. He appealed to the House on behalf of the poor persons, who had been deprived of these means, and contended that as the funds had not passed out of the hands of the government officials, they should be refunded out of the treasury.

Hon. PROV. SECRETARY suggested that this matter be referred to the post office committee.

Mr. C. CAMPBELL contended that the subject was not one with which that committee could deal.

Mr. LOCKE said he understood that a rule had been adopted to prevent the transmission of monies in such a way.

Mr. S. CAMPBELL said that the remittance having been made at the request of the parties entitled to draw the money, they were those upon whom the loss should fall.

Mr. LONGLEY remarked that the practice in the Receiver General's office had been to pay the road monies upon the order of the commissioner.

Mr. C. CAMPBELL said that there was no receipt for the money in the office. It had been remitted by the Receiver General, and had never reached its destination. He therefore held that the Government were bound to repay the money that was lost in the hands of their officials.

Mr. ANNAND remarked that a distinction should be drawn, as was contended for by the hon. member for Digby, between the transmission of money by private persons and by Government. A rule against remittances of this kind had been made by the late government.

The papers were referred to the Committee on Post Office affairs.

Mr. McLELAN presented a petition from Tatamagouche on the subject of education.

Mr. KAULBACK introduced a petition of 90 inhabitants of New Ross against having their district cut off from Lunenburg township and attached to Chester township. He said his object was to be governed by the wishes and interests of Chester township, and before he moved for the second reading of the bill to repeal the Chester Session he would endeavor to satisfy himself that it was for the true interests and wishes of the majority of that township. The petition presented to-day, although not entrusted to him, was, from the signatures attached to it, worthy of great consideration. He felt some embarrassment in acting in a matter in which there was such a diversity of opinion among a large section of his constituents.

PROCLAMATION TO MILITIA.

Hon. PROV. SECRETARY laid on the table, by command of His Excellency the Lieutenant Governor, a copy of the Proclamation made by the Commander-in-Chief, calling out the Militia of the Province, and in so doing moved the following resolution:

"Resolved, That this House cordially approves of the action of His Excellency the Commander-in-Chief in calling out the militia as stated in the proclamation now laid on the table, and will provide for any expence required for the adequate protection of the Province."

He said the condition of this Province in relation to its local defence had occupied the attention of the Government and the Imperial authorities for a considerable period. It was of recent date, however, owing to circumstances to which he need not particularly allude, because they were familiar to every member—owing to the fact that a large body of lawless men were openly and publicly, in the heart of the adjoining Republic, threatening the securities, the rights and liberties, of the people of British North America—that the subject had come to be one of immediate importance. Circumstances connected with the body to which he referred had led parties throughout British America to treat without much regard many of those threats of hostility; many of their proceedings having assumed such an exceedingly ludicrous character as to excite contempt rather than apprehension. At the same time, the Government had considered it of sufficient importance to occupy such attention as was necessary to obtain the most authentic information, and for some time preparations had been in progress for the purpose of affording efficient protection to the country. It was well known that the effect of withdrawing large bodies of men from their accustomed avocations, and engaging them in warlike operations, thereby separating them from the connections of home, especially when these men were drawn from the lowest and most needy and adventurous portions of a community, was that at the termination of their warlike engagements, the greatest difficulty frequently arose in inducing them to return to their former peaceful occupations. The peculiar character of the war which had recently terminated in the neighboring republic had been such as to leave an immense mass of persons without their ordinary and legitimate engagements, imbued with a warlike and adventurous spirit, and likely to adopt a very reckless and unreliable course in their subsequent movements. The fact that a large organization of such persons had been proclaiming the most determined hostility to the empire of which our province happily forms a part, and had threatened the integrity of British North America, and the fact, more recently transpiring, that this was not merely a desultory act of unprincipled men without the means of effective organization, had given to the question a serious character, and had attracted the active attention of the Government. The report of the speech recently made in the Imperial Parliament by Sir George Grey, and the facts then brought to light, proved that the organization, in-

stead of being of such a contemptible character as had been previously supposed, had assumed formidable proportions. It was not his intention unnecessarily to excite alarm, or put the inhabitants of this loyal Province to unnecessary inconvenience; but that discussion, and the whole of the facts exhibited, shewed that this organization consisted of a body vast in numbers, and possessing large amounts of money. Numbers of persons had been sent to Ireland, and large sums had been contributed to a movement having for its object the subversion of the integrity of the Empire, by securing the independence of Ireland from British rule. While he believed that by proper precautions being taken we need not continue in apprehension, the Government had felt it their duty to watch most narrowly the course of affairs, and to take such measures as the security of the country might require. After the adjournment of the House on Saturday, information had been received of such a character as to demand instantaneous action. Under the law the only means by which the Militia force could be made available for active service was by a proclamation embodying the Militia, and placing them in a position in which their services could be readily obtained. He was unwilling to place before the House the information that had been received by His Excellency and by the Commander-in-Chief of Her Majesty's Forces, and the House would absolve him from any such necessity, because such a course would be exceedingly prejudicial to the public interests, as it would have the effect of cutting off the sources of information hitherto at command, and so far from increasing the security would have the opposite operation. But His Excellency had considered the circumstances as of such a grave character, and the danger of an attack upon some part of the Province sufficiently imminent to warrant immediate action being taken without waiting to consult the House. The entire militia force of the Province had therefore been turned out. He would take this opportunity of saying that the action taken involved the turning out of the Militia only in a legal sense, the object being to place the force in such a position that at a moment's notice the commanding officers could call into active service the men under their command, and until such notice it was not intended that further action should be taken under the proclamation.

He felt satisfied that His Excellency would meet from the Legislature a spontaneous acclaim in support of the serious step which he had felt it his duty to take, and he knew that members of both sides would require as a justification nothing further than a statement from so distinguished a military authority as the Commander-in-Chief, who was associated with a gentleman in command of Her Majesty's forces, enjoying the confidence and esteem of the Legislature and the people, and he was sure that an enthusiastic response would be given from the great body of the people, and that this resolution, placing the entire funds of the Province at His Excellency's control, would meet with the same response from the House. He knew that if Her Majesty had in any part of her dominions a population that would

rise at the first call of danger and devote not only their means but their personal services to the common defence; it was in the loyal Province of Nova Scotia. The response to the demand, contained in the proclamation, would be such as to convince His Excellency, the Imperial authorities, and those who had been ill-advised as to the sentiments of our people, how fatal it would be for any foreigner to desecrate our soil by an attempted invasion, and not only so but to relieve us from any danger to which we might hitherto have been exposed throughout British North America, the same spirit has been evinced, — in Canada the Minister of Militia had received a telegram, stating the desirability of calling out the volunteers, and next evening 10 000 men were under arms and ready to march. In New Brunswick the same loyal and patriotic spirit had been found to animate the Legislature and the inhabitants, but in no place could more unbounded unanimity be relied on than in this Province.

Mr. ARCHIBALD, in seconding the resolution, said he thought it would have been gratifying and satisfactory if the government had felt at liberty to lay before the people the information, which had been received, but that was a matter which must rest in their discretion, and if they felt that the public interests would be safer by withholding it, and that the effect of allaying a part of the existing alarm would be more than compensated by the evil which would result. In reference to the call made upon the inhabitants of the Province, he entirely endorsed the sentiments which had just been so warmly and eloquently expressed. He felt that there was not among Her Majesty's provinces a people more truly loyal to the government and the person of their Sovereign than ours, and that no where did the feeling of loyalty glow with greater ardour than in Nova Scotia. The response from every portion of the land, he knew, would be in accord with these sentiments. Concerning the allusion to the body of men who had been threatening our security, he said it must be felt that they had been discharged from a conflict different from any that the world had ever witnessed; not only had its proportions been more gigantic but it had contained the very worst elements of war. — A civil war invariably created a state of affairs different from that produced by an international struggle. That the men composing the organization referred to should seek to make us the stepping stone to the liberation of their countrymen, was an extraordinary way of showing their love of liberty — to devastate our territory in order to engage our sympathies, would inflict upon us evils compared with which their own grievances, even in their exaggerated view, would be insignificant. Like others he had regarded the organization as bearing marks of imbecility, but if the British government and our own had received intimations that some portions of our territory was likely to be a point of attack, His Excellency was entitled to the gratitude of the legislature for not delaying to consult the House. Every effort put forth for the protection of our homes, he knew, would be cordially joined in by our people.

The resolution passed unanimously, and the whole House thereupon proceeded to communicate its contents to the Lieutenant Governor.

The SPEAKER subsequently announced that His Excellency had been pleased graciously to receive the same, and to state that the resolution would be transmitted to Her Majesty the Queen.

Mr. PRYOR having entered the House after the passage of the resolution, said that he had the gratification of informing the House that the response made by the citizens of Halifax to the call to arms had been unsurpassed by anything which had occurred within his recollection although he had been connected with the militia service since 1827. The most cordial reception and the most hearty cheering had greeted the reading of the proclamation of His Excellency the Commander-in-Chief by the regiments who had that day been mustered on the Common. He was confident that should a foe invade our Province, there would be hearts and hands to meet them on the threshold and to defend the hearthstones of our country. He gave this information not because the country would need any additional inducement to activity, but in order that the slight and sarcasm which were frequently thrown upon a mixed population like that of Halifax might have no effect, and in order that the House might be well assured of the existence of that true loyalty which nothing extraneous could exterminate.

PETITIONS AND BILLS.

Mr. C. J. CAMPBELL introduced a bill to repeal the act concerning the Presbyterian Churches of the Lower Provinces.

Mr. LONGLEY presented a petition from the trustees of a school section at Bridgetown, for authority to sell an old school house; and introduced a bill in accordance with the prayer thereof.

Mr. C. CAMPBELL presented a petition from Joseph McIntosh, a postmaster, asking an increase of salary.

Hon. PROV. SECY. presented a petition from the Educational Society of Nova Scotia, in favor of the bill recently introduced in reference to education.

MINING LEASES.

Hon. ATTY GENERAL moved that the papers on the table in reference to the extension of the coal mining leases be referred to the Committee on Mines and Minerals.

Hon. PROV. SECRETARY said that when this question was under discussion previously, it had been made the order of the day for that afternoon, in order that it might be taken up with great deliberation, and he was glad to find that the general opinion seemed to be that the discussion of the subject upon such a motion as that before the House, and the subsequent reference to the Committee who would be in a position to frame such a Report as would accord with the general feelings of members, was the best mode of dealing with the question which was one of very great importance, and one for the dispassionate judgement of the House. He had previously stated that after a good deal of consideration he was prepared to explain fully and frankly his views and opinions in relation to the proposed extension of the leases. The leases, he said, from

the Duke of York, to the General Mining Association gave the exclusive right to almost the entire Mines and Minerals of the Province down to 1866, and by an arrangement made by the Government of Nova Scotia and ratified by the Legislature, the government were bound not to give to any other parties more favorable terms than those conceded to that Association, either in reference to the period of the leases or to the amount of royalty exacted. It would be seen at a glance that while the General Mining Association had all their capital previously invested each year added to the difficulty in relation to other companies because the term was becoming so short as to preclude parties from obtaining the capital necessary to open the mines. On the occasion of the last discussion he had drawn attention to a remark of Hon. Mr. Howe in connection with the exaction of royalty which had impressed him with the belief that the taxation of coal at the pit's mouth was as impolitic as the taxation of turnips or potatoes would be, and could only be defended on the ground of the absolute necessity of raising a revenue from that source. The policy in reference to this matter which had been introduced by the present Judge in Equity, and the leader of the Opposition, as delegates to negotiate for the release of our Mines and Minerals from the control of the Association, had effected a reduction in the royalty, and, as that tax at present stood, while it was not high enough to depress mining enterprise and retard the investment of capital, it was still large enough to yield a handsome and an annually increasing revenue. The member for Halifax, Mr. Tobin, had called attention a short time ago to the fact that while the Legislature had passed a very large number of bills incorporating Coal companies, it was found by the returns that many of those obtaining charters had failed to carry on operations to such an extent as might be expected;—he had been led to believe that the short period of the leases had not only the effect of preventing capital from being obtained in the adjoining country where enterprise was more rife than in the mother country, but also had the disastrous effect of shutting out the investment of British capital. These facts were of sufficient importance to lead the House to question the policy of preserving the restrictions which were found so embarrassing and of such a tendency as to create speculation rather than useful enterprise. He thought the feeling of the House would be in favour of making such an extension of the leases, as to encourage parties who were willing to expend a large sum in opening up our mineral resources; and as the present interests of the Province required that the revenue from all sources should be made as available as possible, and that every aspect of industry should be fostered, he thought the present time opportune for such an extension as would not only stimulate and encourage the companies now in operation, but would induce others to embark in this important branch of Provincial enterprise. He was satisfied that the policy of enforcing a very small tax in the shape of internal revenue was true and sound and that he was led to believe that the royalty should be continued at the present rate. He would be in

favor of dealing on the most equitable terms with parties investing capital in the country, and while quite of the opinion that such investments might be safely made in reliance on the spirit of equity which always had, and he thought always would pervade the legislature in connection with this subject he knew the difficulty that must be experienced in impressing this fact upon capitalists abroad who were used to a period of 99 years. The House might resolve either to extend to a fixed date, or to adopt the same policy as that in operation in reference to the gold mines, to extend for a term of years. He was quite prepared to modify these views upon suggestions from other gentlemen, but his present opinions were in favour of adding forty or sixty years to the term yet to run, and with the existing evidence that the present royalty was adequate and was as large as was conducive to the public interests, he would support a proposition to retain that tax at the present rate. The Legislature now stood in an entirely different position from that which it occupied in making the arrangements with the General Mining Association. At that time it was urged that the Association still had the monopoly of all the important mines of the country, while subsequent discoveries showed that almost boundless coal fields were still open to enterprise.

Mr. ARCHIBALD expressed his regret that a subject of such grave importance had come up at a time when he had been unable to give it that deliberate consideration which he wished. He then went on to refer to the history of the settlement with the Mining Association. When the agreement was made by which the Province gave up to the Company the amount of about five thousand a year the House was engaged for days discussing the results that would arise from the abandonment of such a sum. The question that was now before the House overshadowed that matter so entirely, that it sank into utter insignificance. In 1826 the entire mines of the Province were transferred to the Duke of York for a period of 60 years. In the original lease granted to the Duke of York a rent was reserved for all the coal contained in the Province. That rent formed a royalty paid the Crown. The Duke of York, instead of retaining that lease, transferred it to the company who now constitute the Mining Association. In making that transfer he subjected the mines to another royalty by which every chaldron of coal had to pay him 1s 6d. sterling independent of the rent which had to be paid into the general treasury. Therefore in approaching the question in 1857 the Province was entitled to £3,750 for the first 26,000 chaldrons, and for all over that amount to 2s per ton, Newcastle measure. The Mining Association were bound in addition to give 1s. 6d. sterling for the Newcastle chaldron to the Duke of York, or at that time to his creditors. When the Miners' question was settled the Crown, the Province, and the Association each gave up some rights; it was finally agreed that the Association should pay to the creditors the sum of £60,000 sterling to be rid of the royalty which they had to pay to the Duke of York, and then to give us, not the ori-

ginal royalty stipulated by the lease, but 6d per ton on all coal extracted from our mines to the extent of 240,000 tons, and 4d for all beyond that. Therefore it would be seen that the Mining Association were paying two royalties—6d per ton and the interest on £60,000 to the creditors of the Duke of York. When the negotiations were taking place with the Mining Association they demanded that at the termination of their lease they should either be paid for all their plant and machinery, or have a renewal of the lease.

In this connection Mr. Archibald read an extract from a speech of the Hon. Mr. Johnson, delivered in the House of Assembly in 1858 on this point, and in which that gentleman explained the refusal of the Delegates to entertain the proposal of the association. The Delegates on both sides, continued Mr. Archibald, refused to consider it as a proposition at all tenable, that they should consent to the extension of the term or to compensation on its completion. Let the House now consider that the Mining Association, notwithstanding the double royalty they had to pay—twice what the other mines paid—had extended their works, and reaped large profits from them; so that their stock was now considered on Exchange as a most desirable investment. Pass the resolution upon the table, and the House would give the Mining Association a privilege for which they would gladly pay £60,000 sterling. He thought that a proposition pregnant with such consequences, should not be considered and settled on an afternoon of a March day. The average produce of our mines from 1839 to 1843, inclusive—a period of five years—was 116,996 tons; from 1844 to 1848, 149,863. Therefore the increase in the latter period was 27 per cent. over the previous one. From 1848 to 1853, the production fell off, being 166,963, or an increase of only 11 per cent.; from 1854 (the year of the Reciprocity Treaty) to 1858, the increase was 47 per cent., the average amount being 243,709; from 1859 to 1863, the average produce was 344,844, or an increase of 46 per cent. He had now come to the period in which the new mines were opened and being worked. In 1860, the entire production of all our mines was 304,129; that of the new mines was only 7000; whereas five years after, in 1865, it had increased to 665,595. It would therefore be seen that in five years, our mines had increased at the rate of 100 per cent. Mr. Archibald went on to give further calculations on the subject, and shew the largely increasing value of our coal trade under existing arrangements. He said that if we did not even charter a single new company—if our mines only progressed at the same ratio as they had for the last 5 years—the total production of coal 10 years hence would be 1,266,000 tons, which would pay the Province 6d per ton, or \$126,500. He therefore asked the House whether they were prepared, in view of facts like these, to denude themselves of the power of dealing with their own property when it came into their hands. They would be quite ready to support any scheme by which all parties engaged in coal mining should be assured that the property they had made—which they had rendered valuable—should descend to them; but he could not be a party to any ar-

rangements by which we would bind ourselves from taking measures for deriving that revenue which we might consider necessary.

If there was anything in the statement quoted by the Provincial Secretary—that it was just as legitimate to tax turnips or potatoes in the field as coal at the pit's mouth—ow was it that he did not at once shake off the entire revenue we derived from this source? Now the fact was, we were only dealing with our own property as an owner of a mine was accustomed to do in Great Britain. As the law was now, we handed over public property for £12,10, to any man who had the good fortune to have selected a good mining area. His very first act was to impose a royalty to all intents and purposes upon that coal; he would ask £40,000 perhaps for what had cost him only fifty dollars. Could it be said then that spectators and others interested in mining operations were not sufficiently paid already? He trusted that the House would not proceed to squander recklessly the public money in the mode proposed in the resolution before the House, but that every gentleman would deal with it irrespective of any personal considerations whatever.—One of the great questions of the day was a Union of the Provinces, and if the Quebec or any other scheme should pass, the basis on which our local institutions would mainly depend, would be the revenue derived from the Mines and Minerals. In fact, the arguments against adopting the course now proposed were so conclusive that he was positive no gentleman could fail to be convinced.

Mr. TOBIN said that he had listened with a great deal of attention to the remarks that had fallen from the hon. and learned leader of the Opposition, but he had failed to see their great force. He was of opinion that it was the policy of the Legislature to do all it could to facilitate the extension of mining operations within this Province. Looking at the facts that had been brought to the knowledge of the House it was very proper those gentlemen should consider whether a plan could not be devised to give additional stimulus to mining enterprise. A few days previously he had called attention to the fact that only a few of the new Mines had actually done anything. The majority of the new Companies were crippled for want of capital to carry on the necessary works. The House had on its table a memorial from the President of the Glace Bay Company—one of the most successful of the new Mines—which stated that no works of a permanent character could be raised until the leases were extended. We were not going under the arrangement proposed, to transfer one dollar's worth of property from the Province. The Mining Association had come into the Province at a time when no capital offered for the development of our resources and worked the Mines, and now exported at least three fifths of the entire amount raised in the Province. Look at the States and consider the great progress that had been made in all the branches of national wealth; but any one who got a piece of land owned the soil as well as everything beneath it. He was not obliged to pay

any rent for the coal, gold, or other mineral he might raise from his property. Under existing arrangements in this country, capital would be slow coming into the country for the development of its resources. No Mining enterprises could be carried on with any great degree of success whilst the tenure of the leases was so short. He therefore, hoped that the House would agree to some mode by which existing difficulties might be remedied and capital encouraged to find its way into the Province.

Mr. BLANCHARD said that there appeared to be no difference of opinion as to the propriety of giving assurance to Mining operators that their leases would be renewed when they expired. Where gentlemen differed, was whether the leases should be renewed on the same terms. Those engaged in business were not aware what the duties might be any particular year; the Legislature might at any time change the whole complexion of affairs. The coal mines were the only industry that was at present protected; every one engaged in mining had the guarantee that for 20 years the Legislature had no power to increase the duty upon the coal he might raise. He was prepared to say that the House should make an arrangement to assure the present lessees that they would have no difficulty in obtaining a renewal of their leases at the proper time, but he did not consider it right to say what the terms should be twenty years hence. The Mining Association received from the Province an immense area, which at the end of twenty years reverted to the Province. He would be prepared to say that they should have, at the end of this period, a renewal of the mines which they were actually working, but not of that portion on which they were doing nothing. He had made some calculations himself to see what progress our mines were now making, and found in 1863 the amount was 429,351 tons, whereas it was about 631,265 in 1865, or an increase of fifty per cent in two years. More coal had been exported by the Block House Mining Company, at Cow Bay, than by the Mining Association from their works at Sydney; and yet it had only been carried on for five years altogether. Such facts proved the energy with which our mining enterprises were worked under existing arrangements. At present only four or five of the new mines were raising considerable amounts of coal; but it must be recollected that the majority of the companies had only started a year or two ago and had not had time to get fairly started.

Hon. ATTORNEY GENERAL regretted that he was not as well as he would wish to be in rising to address the house, but he felt he could not allow the observations that had been made on the present question to pass unanswered. The present subject had not been brought before the house by the government, but had been simply introduced by the presentation of memorials asking the Legislature to take into its serious consideration the propriety of extending the leases under which the coal mines of the Province were held. There was no intention to deal with this question with intemperate haste, as the hon. member for Colchester would have the house suppose. The object now was to refer the subject to the Committee on the Mines and Minerals, and

when the Report came up, it could be fully discussed again and a definite decision then arrived at. This question was certainly one of magnitude but no one could deny that it was of a nature that enabled gentlemen to come to a correct conclusion upon it in a very short time. A few points stood out bold upon the face of the question, and when these were understood, the whole matter could be satisfactorily settled. Everyone knew that coal was the foundation of the great prosperity of England, but who ever heard of the British Government levying any revenue out of its mines. It was not the policy of the mother country to retain the title of the mines and minerals in her own hands. In Canada, New Brunswick, and the United States, the coal mines also went with the soil. The complaint that long existed in this country against the Mining Association, was that the monopoly it held prevented private enterprise, and thereby retarded the development of our mineral resources. If, however, it should be the policy of the country to extend the time of the leases, in order to benefit its resources, the Mining Association would not be treated differently from the other companies. He was not urging the house to any new policy, and indeed his mind was not altogether made up on the subject, but he did not wish the house to be misled by such arguments as had been addressed to it. Every one knew that the true policy was not to tax articles of export. If we taxed such articles, it was because we were forced to obtain revenue. But who assumed to raise a revenue out of the raw material that is required for the purposes of manufactures, and for keeping up our carrying trade. Suppose the coal operators were paying 6 cents to the owners of the property; would the province come in and ask them to pay also an export duty on the coal. The house knew what was the policy in the United States, for very many years; namely, of taxing almost everything that was imported; when their national necessities became so great as to force them to tax almost everything in the country, they never imposed a duty on coal. For instance, they raised three millions of dollars on matches alone, and imposed two cents on every photograph taken in the United States, but they never presumed to touch coal. They pursued this course, knowing the great benefit that the development of the country's resources conferred upon all classes of the people. This Province, however, pursued a different policy and levied a duty of 10 cents on every ton of coal for the benefit of the revenue; and many persons questioned the propriety of such a policy. At present, besides the works of the Mining Association, there were only two or three New Mines that were carrying on very large operations as yet. It was very obvious that the want of capital was the great desideratum, and it should be the object with every hon. member to stimulate the introduction of the requisite funds. The progress that had been made in the development of our mines was satisfactory, but by no means as great as it ought to be. One of the most enterprising Companies had come forward and stated that their operations were curbed by the limitation of the leases. The hon. member for Inverness had stated that it required at least fifty thousand pounds to

operate a mine efficiently; that show'd the large amount of capital that would be required to develop our mining resources. It would take millions of pounds to open up our mines thoroughly, but where was the capital to come from. Unless the country gave a stimulus to the introduction of capital from Great Britain especially, our mines would be developed but very slowly. As respects the mode of dealing with the subject, proposed by the hon. members for Colchester and Inverness, he could not see how it was to be carried out. How was it possible to pass an act unless it imposed the conditions. Indeed, the plan proposed would not be a sufficient guarantee to capitalists who might be desirous of bringing their thousands of pounds into the Province. Solicitors of the highest standing in England had stated positively that they could not recommend capitalists to invest their money in our mines on their present tenure. Such a fact should be considered of no little importance in the consideration of the question. If he could see how the capital was to be brought into the country, he would not argue at all in favour of the provision suggested to the House.

The debate was adjourned.

Hon. PROV. SEC. laid on the table a copy of the proclamation issued respecting the Fisheries.

The house then adjourned.

TUESDAY, 20th March.

The house met at 3 o'clock.

PETITIONS, ETC.,

Mr. PRYOR introduced a bill to incorporate the Anconi Gold Co.

On motion of Mr. Archibald, the bill to amend chap. 19 R. S. "for the sale of intoxicating liquors," was read a second time, and referred to a committee.

Mr. BLANCHARD presented a petition from River Denis against assessment for Schools.

Mr. WHITMAN, a petition from Bridgetown on the same subject.

Mr. LONGLEY, a petition from Port Williams in favour of assessments for Schools.

Mr. ANNAND, petition of Acadia Eclipse Blacking Co., asking for certain privileges.

Mr. ARCHIBALD, a petition from Shubenacadie in reference to the River Fisheries.

Mr. BLANCHARD introduced an act, (declaratory) in reference to assessment in the county of Halifax.

Mr. BOURINOT introduced a bill to protect the navigation of Cow Bay, C. B., against injury received by the discharge of ballast.

Mr. BOURINOT presented a petition of the inhabitants of the south side of the Boularderie Island, County of Cape Breton, in favour of general assessment for support of schools.

Also, another petition from the same place praying for the establishment of two Way Offices.

He also introduced a Bill entitled an act to legalize the proceedings of the Sessions in the County of Cape Breton.

The memorials relative to the extension of Mining leases, were referred to the Committee on Mines and Minerals—Mr Bourinot and other gentlemen waiving any remarks on the subject until that Committee reported.

THE PICTOU RAILWAY.

Hon. PROV. SECRETARY laid on the table a memorial from Murdoch Sutherland & Co., and the report of the Chief Engineer thereon. Also, papers relative to dismissal of certain Masonry Instructors. He explained that these men had only been temporarily suspended in consequence of the unfavorable state of the weather, and two of them has already been taken on again. He also stated that the Government was determined to use the utmost vigilance in connection with the construction of the road.

The adjourned debate was resumed.

SPEECH OF MR. McLELAN.

Mr. McLELAN said: We have had Mr. Speaker during the past few years, a good many discussions upon this subject,—hitherto our attention has been mainly turned to the question of our ability to construct the work, or to the advisability of expending our means therein before forming a railway connection with New Brunswick, but on the present occasion we have something more than the mere expenditure of money to consider, something rising higher than dollars and cents, we have to consider whether this work has assumed that aspect which gives ground for suspicion that our public men have betrayed their trust and dealt unjustly with the interests of the Province, and, if such grounds exist whether we will indorse their conduct, make it ours, and thereby compromise the honor and reputation of Nova Scotia. The Pro. Secretary has referred to the course which has been taken by the Opposition for the last two or three years,—what course was open to us excepting the one we pursued in restraining an opposition to the Government? When that gentleman was in opposition he occupied himself for years in propounding his principles, in constructing his platform, and though we believed it unsound and unsafe he succeeded in convincing an overwhelming majority of the people to repose confidence in him so that when we came back here but a mere handful it would not have been courteous to oppose the Government at every step. The people, having given almost their entire confidence to the administration, would have declared such opposition factions, and would have been less disposed to weigh calmly and dispassionately the actions of those in power, our course therefore was to let them proceed almost unopposed knowing we would not have to wait long until that confidence was withdrawn. Nor have we been in error. Since that three constituencies have been opened, at the first an almost unprecedented majority for the County of Annapolis, returned a gentleman opposed to the Government,—at a still later period Lunenburg by a two thirds vote, pursued the same course, and subsequently when the township of Yarmouth was opened that constituency would accept no candidate who was not pledged to oppose the general policy of the Government. Having this evidence that the people have on a calm and undisturbed review of the policy of the Government decided against it; forbearance on our part is no longer a virtue. It would seem the Pro. Sec. has calculated to some extent on being unopposed and expresses surprise at the tone and language of the learned leader of the Opposition. Surprise in view of that great public question which for more than twelve months has been

agitating the country, and he more than intimated his supposition that because the leader of the Opposition entertained views in some measure corresponding with his on the subject of Confederation, that gentleman would forego an investigation into the Pictou Railway contract. Could he pay that gentleman no higher compliment than to suppose that for any consideration whatever he would be restrained from demanding an enquiry into such an important question, a question in reference to which there was the gravest suspicion that the country had been dealt with unfairly? Though that gentleman may desire a union of the Provinces, I am satisfied he would not forego the opportunity of ascertaining whether we shall go into that union with clean hands. If that Union ever comes let us be careful to see that when Nova Scotia goes to the altar—the altar which some call the altar of love, but which I fear will be the altar of sacrifice, she shall go with robes unsoiled and unstained. The Pro. Secretary has said that we were silent when the papers were laid upon the table,—we were silent, and why? Because we were dumb with astonishment that such liberties should have been taken with the checks and guards which we had thrown around the work. We left here last year having on our statute book a law which we considered that no Government would dare disregard; and when he announced to this House the course which had been taken in violation of this statute, it was natural that we should be dumb with amazement. We left this House last year with an Act which provided in one section that the railway should be constructed by tender and contract duly advertised for after the issue of plans and specifications, in another section that no member of the Legislature should be a contractor or the surety for a contractor, and in another section providing that in the occurrence of unforeseen difficulties the Government shall have the power to suspend the work and to await the meeting of the Legislature. With all these guards thrown around the construction of that work, we might well be amazed when he told us that the Government had secretly, months before, given that contract in total disregard of this law. The Pro. Secretary has attempted to excuse this course by telling us that the law was fulfilled in its spirit by ascertaining what the lowest tender would be. I differ entirely from his interpretation of the law, but in this case the Government did not even pursue the course which he says was intended by the statute, for they withdrew the work from the contractors nearly twelve months after the contracts had been entered into, and they handed it over, when entirely new conditions existed, by a private bargain, and instead of giving it at the sum for which the tenders had been made they give it for a higher sum by \$250,000. ss I shall presently show. But if the amount had been the same, their act would still have been a violation of the law. The hon. gentleman pretended that he had precedents for his policy, and told us that the old contracts contained clauses empowering the Government to withdraw the work from the contractors hands, at which announcement some of his supporters cried "hear, hear," in all probability preventing him from finishing the sentence—preventing him from telling us that in such cases the Government were to carry on the

work at the expense of the contractors and of their surchises. If they were obliged to withdraw so large a portion of it that such a course was impracticable, the law provided that the legislature should be consulted, and the contract with Mr. Fleming was not entered into until after the time when the House might have been called together. A few years ago we deemed it expedient to change the termination of the financial year to the 30th September, so that the session might take place earlier in the year, here the emergency arose in the fall and the contract was given on the 10th January, after the time when the House had expressed its desire to meet. They therefore showed a total disregard of that section of the Statute which provides for consultation with the Legislature. But supposing that precedents do exist, as I altogether deny, in the cases referred to, I am sure you will agree with me that he is the last man who should violate the plain and simple construction of the law under the plea of the precedents of his predecessors. It will be remembered that the most prominent plank in the platform which that gentleman erected when in opposition, was the principle that every administration should scrupulously observe the law. It will be remembered that in 1830 the management of our railways, instead of being entrusted to three, was vested in one Commissioner and the hon gentleman then made a grave charge against the Government of the day for having violated the law in this particular, by having but one Commissioner after construction ceased. On the very first day of the session of 1861, he gravely charged the Government with a violation of a simple resolution which had passed two or three years before in reference to the establishment of post rides. Declaring that the then leader of the Government (Mr. Howe) had grossly violated law by establishing a post ride in a back settlement of Cumberland without seeing that the terms of the resolution were complied with. In the same debate the present Fin. Secretary said "this was an interference with the regulations of the House and such a violation of the laws of the land as should not be allowed." In the session previous I moved a resolution calling upon the Government to enquire into the management of the Lunatic Asylum, with a view to reduce its cost within such limits as would secure efficient superintendence. When the Government acted upon that resolution the nine commissioners appointed by the former Government resigned. The vacancies were not filled, other arrangements were made. The hon. gentleman being then in opposition said of this, "I have no hesitation in saying that this House cannot approve that management without doing violence to the laws of the land which they are bound to maintain,—this House should see that they do not allow the very enactments of its members to be treated with contempt." Speaking of his own management of that Institution in reference to Dr De Wolfe's wants he said, "the next appeal that came from him was permission to keep a horse at the expense of the Province. I said, no sir, we cannot allow it; you must ask the Legislature." In these few extracts see how careful the hon. gentleman was that the law should be observed, and the wishes of the Legislature consulted, and see how he disregards them now. Does he forget the lesson read to him on that occasion by his

then leader; the gentleman who now occupies the position of Judge in Equity, and whose opinions always commanded in this House the greatest respect. In replying to the Fin Sec. he said, "he (F.S.) undertook to say I had alleged that economy and harmony was nothing; everything was law and order. I do say I value law and order above everything, because I know no economy can exist without such. It is law and order which is the parent of economy; for without these you have no security for your liberty, your property, your character or anything that is dear to you."

These were the words of a gentleman who if he were now in the Government would not I am sure have sanctioned such a violation of the law as has been made by the present leader. A few days ago we had here an interesting examination of the pupils of the Deaf and Dumb Institution. Those present who saw that examination will remember the question was asked them, by writing on the blackboard, "Who was Napoleon?" The answer which occurred to me was the message he is reported to have sent to the Senate of France when informed that the members thought he was going too fast for the State. "Tell the Senate," said he, "I am the State." And when the next question was written, "Who and what is Dr. Tupper," and I saw the puzzled look of the poor little fellows, I thought if they knew the history of this Pictou contract,—if they knew how he disregards law, how he disposes of millions of the peoples money as unconcernedly as boys play at chuck farthing the answer would have been, "Dr. Tupper is the State." The hon. gentleman has also complained that the press was either silent on the subject of the bargain, or had given it their approval, it may have been because the press received and credited the announcement made in the House that by this contract \$100,000 were being saved to the Province, but we will presently see how far that assertion is borne out by the facts. Several estimates and a good many surveys of the line have been made, and it is true that the late Chief Engineer made an estimate which placed its supposed cost at \$2,216,000, and it is also true that he has undertaken to open the line for traffic for the sum of \$2,116,000. On its face this would appear to be a saving of \$100,000, but while that estimate was made on the 24th November 1861, on the 6th April 1865, the Chief Engineer in making another report says:

"On explaining that the Engineering character of the line contemplated to be built under my specifications, and for the above estimate would be superior to the railways already constructed within the Province in reference to gradients, alignment and general efficiency, it was intimated to me that without greatly lowering the standard of the work intended to be executed, the Government would prefer having such reductions made as were possible, as it was a matter of importance that the expenditure should not exceed two million dollars."

He then goes on to enumerate the expenditures, making the whole cost, including rolling stock \$2,311,500. Further on he says: "In order to bring the expenditure if possible within the proposed appropriation of two million dollars, I have already made considerable changes and alterations in the specifications, in the gradients, and

in the curvature." And then he adds: "The alignment and gradients are still open to such minor changes as, during the progress of the work, may seem expedient." Here we have detailed the reasons for a reduction in the cost of the work and changes made to effect it. When were these changes made? Turn back to the 10th December, 1864, just sixteen days after the first estimate was made, and you find upon the journals a memorandum from the Chief Engineer to Mr. Reekie which indisputably fixes the sum decided to be spent on the Pictou Railway at \$2,000,000. Just \$314,500 less than the estimate made before consulting the government. The contracts having been made by the yard, it only became necessary to reduce the quantity of work.

\$314,000 seems a large sum to be saved in fifty miles of Railway, but any gentleman who has given attention to the subject knows that the cost of a railway depends principally upon the gradients and curvatures, and that where you desire the road to be level or with low grades, the line is a costly one. What made the Railways formerly built in England so very costly? It was the fact that they were built nearly, if not entirely, on a level; but in later years, by improvements in locomotives greatly increasing their power, the lines have been built with steeper grades, and consequently at a cheaper rate. Up to 1857, the average cost of the railways in Great Britain was £34,950 stg. per mile, but after the introduction of heavier gradients the average of ten lines in 1858, fell to £11,823, so that the House will see that a large saving may be effected by making heavier grades and sharper curves. It then being plain on the face of the papers that these alterations were made, the contract with Mr. Fleming, instead of being \$1,000,000 less, is, as I have shewn, \$214,500 over and above the estimate made on the 10th December by Mr. Fleming himself. So much then for the impression attempted to be conveyed, that money is being saved by the transaction. One of the reasons given for the adoption of the course alluded to has been that by the existing contract the line will be open for traffic several years sooner than it otherwise could be; but in the letters which passed between Mr. Fleming and the Provincial Secretary, dated 30th October and 10th November, Mr. Fleming engages to carry it on under the government, and to have it opened at the same time as that specified in his contract; it is true that, as Engineer, he gave no security for the fulfilment of this promise, but it is equally true that, as a contractor, he gives no security which is more reliable than if the Attorney General gave his ink horn, or the Provincial Secretary his pill box, in pledge. We are told that there was a difficulty in making the payments, and that that is the reason why the work should be handed over privately; but Mr. Fleming says in his report: "In making all payments in connection with this Railway extension, a system of certificates and accounts has been introduced, which can scarcely fail, I think, to give satisfaction." I cannot see how any greater difficulty would occur in making payments with Mr. Fleming carrying on the work as Engineer than otherwise.

Let us look now at the step by which this contract has been reached. A good deal has been said by the leader of the opposition upon the

point which I am now going to touch, and it will be recollected how anxious the Prov. Sec. was to get in his ear on that occasion, insinuating that he had something to say that would explode the whole argument,—but when afterwards we had the explosion, the house must have been of the opinion that the leader of the government had exploded himself. As I listened to the Prov. Sec. giving up point after point of his case, I was forcibly reminded of an incident which came under my notice in early life. We were engaged scowling deals on one of the rivers of Londonderry, and the craft we had, being very much like the government barge, not A. 1. at Lloyd's or any where else, often had more water inside than was desirable. For convenience sake there was a hole, from which when the tide had left the scow the plug was taken and the water ran out. It happened at one time that in bringing her up the river with the tide she "shipped" more water than usual, and had become almost unmanageable. The surveyor from the bank observing the state of matters, and being a great wag called out to the man in charge: "let out the water;" "pull out the plug." The direction, to the astonishment of us all was obeyed, when of course the plug was out the tide rushed in and soon swamped the scow. Now when the leader of the Opposition sat down every one felt that the government craft had shipped a good many seas, in fact was nearly water-logged. And when the Prov. Sec. got up we looked at least for an attempt to bale her out, but to the astonishment of every one he pulled out the plug and swamped his craft. He gave up his entire case.

This contract has been taken for the lump sum of \$2,116,000, and on looking at the several steps by which we are led to this we see a good many curious features. To go back to 1864, when the act was passed, it will be remembered that it was with an understanding that the railway would only cost £400,000. I have referred to the speech of the Attorney General who was then Solicitor General, and I find his assurance given to the house that the cost of the Railway will be \$1,600,000, but we are told that the increase arises from the change of location,—that may be, but the impression created was that the line was to terminate at Abercrombie Point. Whether there were sufficient reasons for the change or not, I am not going to consider, but I find it stated in the speech of the Prov. Sec'y, in submitting the papers, and to which our attention has been invited, that he had made arrangements with gentlemen who were intending to invest in coal mines, and had given assurances that intercourse would be opened at no late date, and that great disappointment would result to those gentlemen. We have no means of ascertaining whether these arrangements were made before or after the location of the road; they are not, I believe, upon the Journals; they appear to have been private, and if made before the location of the line you may suppose that all the surveys were made with a view of placing the line in its present position and not to ascertain the best location for it. But it having been located and the work proceeded with, on the 26th October last the Chief Engineer Mr. Fleming announces to the government that a great deal remains to be done and that the probabilities are that it will not be done

in time. On the 28th Oct. the Pro. Sec. asks him to suggest any means by which the line can be opened by May, 1867, and we have in reply a letter dated 30th October, in which the Engineer undertakes to open it for traffic by that time, on certain conditions. He says—

“Being fully alive, however, to the heavy responsibility which would rest upon me. I would stipulate as an *indispensable condition* that I should have full authority to act from beginning to end in the prosecution of these works upon my own judgment.” “I would close arrangements with all contractors, terminate their contracts, and release their sureties.”

Further on he asks power to “substitute tunnels for culverts and bridges,” and “adopt such other measures as from time to time appeared expedient to accomplish the main object in view.” On the 31st the Prov. Sec. tells him to proceed with the work, and adopts the suggestions made. On the 10th November we have a letter in which Mr. Fleming assumes the responsibility of opening the line at that time, and subsequently we have his offer to undertake the work for \$2,116,500. Then we have the contract made with him, which embodies these two letters in which he has stipulated for full authority to act from beginning to end according to his own judgment. It may be supposed that these letters were written by Mr. Fleming as Chief Engineer and that these conditions do not apply to him in his capacity of contractor, but it is a most remarkable circumstance that while all the letters and reports up to 30th October are signed by him as Chief Engineer, that letter of the 30th, and those in connection with it, in which he stipulates for these powers are signed “Sanford Fleming” merely, without “Chief Engineer” being attached, and therefore these terms and conditions go with him and form a part of his agreement. Here you have evidence that on the 30th October Mr. Fleming was preparing the way for the contract, writing a letter containing stipulations and omitting the title from the signature, which might imply that the powers belonged to him as Chief Engineer. If you have here a circumstance creating in your minds a suspicion that this gentleman previous to getting the contract was planning and plotting on the 30th October to obtain it, how far back may not your suspicions carry you? May you not suppose that from the very hour when the other contractors entered on the work, he commenced to plan, and that his condemning the material and harassing those who were employed was intended to drive them out? He had been invested with the sole power of saying what species of work should be done; there was no appeal from his decision, and I ask if he were seeking for himself the contract, can there be any wonder that these men brought their cases here and told us they were ruined. Sir, I never like to hear of ruin. It brings to my mind visions of men bowed and broken in spirit; of wives perishing in want; of children crying for bread. And when the Prov. Secretary called up the picture, there arose with it another character,—an engineer clothed with despotic power; a very autocrat placing his iron heel upon these men, grinding

them to the very dust, until they begged permission to go. But the picture, dark as it is, has something blacker still. I see then standing in the background, the Prov. Secretary of Nova Scotia privately handing over to this same engineer a contract for the whole work. I see him shroud it in darkness and bury it for months in the grave of secrecy. And now the Prov. Secretary comes forward and tells us it was so hidden “to serve the public interest;” to enable Sanford Fleming, after he had taken the contract to make better terms with the old contractors; to grind a few more dollars out of them. Public interest indeed! Mr. Sanford Fleming’s interests alone. Sir, I know not what term to apply to such conduct in a government. I know not what to call it—I shall not venture an opinion; but, in private life, it is called extorting money under false pretences, and our laws makes it indictable knavery.

Having shown you evidence that for some months Mr. Fleming was laying his plans to secure the contract on his own terms; I will proceed to examine the next step in the transaction. When the offer of Mr. Fleming is made the Prov. Secretary sends the whole correspondence to Mr. McNab. It has been asked “who is Mr. McNab?” And the answer given was that he was a gentleman so high minded that he refused to take a subordinate position. I hardly know what the Prov. Secretary calls a subordinate position, but amongst the public accounts I find a bill which I hold in my hand showing that this gentleman was engaged in the Crown Land Office at \$600 a year. The letter of instructions requests Mr. McNab to examine without delay the condition of the work, and report whether it is for the public interest to accept Mr. Fleming’s offer. The leader of the Opposition spoke of the impropriety of handing over the papers in a way that gave the intimation that his decision if favorable would create a vacancy in an office worth \$3000 a year; and while I do not pretend to say that the circumstance had undue influence on the mind of Mr. McNab, I must say that to the majority of minds the ascent from \$600 to \$3000 would be regarded as very considerable—it was a temptation too great to be placed in the way of most men. This is not all, however—the Prov. Sec. goes further; he does one of the most remarkable and inconceivable things possible: he actually sends Mr. McNab to Mr. Fleming to obtain assistance in making up his report, telling him in the letter of the 28th Dec. that “The Railway Department and Chief Engineer will be instructed to afford you every facility in the discharge of this duty.” Sir, the Prov. Sec. told us that the leader of the Opposition must have sat with a disappointed contractor at his elbow when preparing his case. The great German poet tells us of a certain doctor who sat with a celebrated character at his elbow tempting and trying him, and our imagination easily takes us to the Provincial Secretary’s office to see another Doctor tempted and seduced by an interested engineer at his elbow.

But I venture to affirm that the wildest imagination of poet or politician never before conceived anything so absurd so preposterous as this sending of Mr. McNab to Mr. Fleming for assistance to make up his report—Is this

whole thing a farce? Can it be a reality? Yes Mr. Speaker for the people of Nova Scotia it is a stern reality involving over two millions of their money. But what does Mr. McNab say? He says:—From the proposal made, if will be seen that a reduction of \$100,000 will be effected in the anticipated cost of Railway." Now I have shewn the house as clearly as Mr. Fleming's figures can shew that on the 10th of December 1864, he put down the cost at \$2,000,000, and Mr. McNab overlooking that circumstance on the 2nd January, 1866, makes the above statement while in reality the offer was \$214,000 more than the *anticipated* cost excluding rolling stock. Mr. McNab then goes into certain speculations concluding by proposing to substantiate his views by the facts, exceeding all other engineers, whom I ever knew, in making an Estimate a fact. His "facts" would make it appear that the cost exceeded Mr. Fleming's proposal by \$169,232. If the government considered Mr. McNab's "facts" worthy of reliance should they have given the contract without taking any security as to the character of the work to be performed. Is Mr. Fleming's estimate of 24th of Nov. 1864, after the tenders are in he puts down for earth work, masonry, &c., \$965,000, for extra bridges, foundations, &c., \$250,000, for iron girders \$140,000, making in these three items \$1,355,000. He then puts in superstructure, Station buildings, Steam ferry service, engineering and at the bottom 10 per cent contingencies which are naturally supposed to be distributed over the whole service. But Mr. McNab brings up this contingency sum and with a few thousand dollars adds it to the first three items, he then adds \$40,996 to the superstructure, \$10,000 to engineering, leaving station and ferry services at the same figures as in Fleming's estimate. And why so when all the other services were increased? Is it because Mr. Fleming was facilitating Mr. McNab to make up his report. It was important to him to have the sums to be expended on those services fixed. Mr. Fleming estimated them at \$70,000. Mr. McNab facilitated by Mr. Fleming does not change the figures and they pass quietly over into the contract at \$70,000. Having got this report the work is handed over but the contract gives something more than Mr. Fleming stipulated for in his letters of October 30th and December 27th. The old contractors were obliged to furnish securities and we are told that this would have cost Mr. Fleming \$50,000, but the government relieve him from that outlay,—then the old contractors were subjected to a reservation of fifteen per cent for two months after the work is completed, but Mr. Fleming is paid all but ten per cent, and is paid in full whenever any part of the work is completed, and in addition to passing men and materials free, the Prov. Secretary, in the abundance of his generosity, throws in a couple of engines and trains of cars. In 1861 he was so scrupulous as to refuse Dr. DeWolf permission to keep a horse without asking this legislature; but in 1866 when he has become the State, he throws in two steam horses and lots of cars. Now let us turn our attention to see if Mr. McNab can be correct in stating that Mr. Fleming is to lose \$169,000 by the contract. In his letter of the 26th of October last he gives the quantities of

the different kinds of work undone; take these quantities and form the average prices of the old contracts, the sum given is \$599,405; add amount for work done \$310,609; allow for extra services say \$155,000. Take Laurie's estimate for superstructure, deducting difference in ballast and rail, and for 4½ miles, with 5 per cent. sidings, it gives \$415,447. Station service is fixed at \$40,000. Ferry and wharves at \$30,000. Add balance of engineering estimated by Fleming taking out Chief Engineer's salary, and expense of office, leaving \$15,000. On the present railways to Truro and Windsor we have 1327 feet of iron bridges. The iron for the 50 feet spans cost \$40.30 per foot, and for the 100 feet spans are 800 feet of iron bridges on this road there are 800 feet of iron bridges at say \$110 per foot, it gives \$87,000 more, making a total sum of \$1,653,461—leaving for Mr. Fleming \$463,000, provided the use of the engines and cars, and the haul of material and men are equal to the contingency; if not considered sufficient, throw off one or two hundred thousand dollars and you have still left for him an enormous sum.

Let us try another mode of ascertaining whether Mr. Fleming's contract is likely to prove profitable. Take the entire expenditure on our present roads to Truro and Windsor up to Dec 31st, 1860, one year after they were opened \$4,233,577, divided by 93 miles without sidings gives cost per mile including sidings \$45,552. Deduct work not done by Fleming at prices given by Laurie as the cost on those lines, that is: difference in make and weight of rail \$1924, station service \$1740, locomotives and cars \$4452, fences land and damages \$839, salaries of chief engineer and commissioners, \$500, interest included in construction fund, \$1000. Allow an average profit to the old contractors by the time they had their extras of \$1000 per mile and you have left as the comparative cost of the work to be done by Fleming \$34,037 per mile or for 48½ miles \$1,662,228. Add to this \$40,000 for station services and \$30,000 for wharves and ferry making a total of 1,736,238 which taken from the contract sum with say \$20,000 for use of engine, cars and other perquisites leaving a balance for Mr. Fleming of \$404,272, supposing he builds as good a work as our present lines.

We have been told Mr. Laurie estimated the Pictou line to cost £12,000 per mile. True, but his estimate was on a different specification from Fleming's. But with the different specification the reduction in ballast and rail, the Pictou line under Mr. Fleming's contract will cost very little if any less than \$48,000 per mile when completed. Assuming that Mr. Fleming gets with the use of cars and other allowances what is equivalent to \$2,136,500 this for fifty miles is \$42,730 per mile, add for total rolling stock estimated by Mr. Laurie \$2788 per mile, then put down for interest during construction, Chief Engineer's salary, preparation of commissions and his office expenses and a good many other little items which I observe among the public accounts, such for instance as \$100 for a carpet for the office, another \$100 to Hyle for an extra coach to Pictou, and a little bill I see in one quarter of \$455 from the Hon. Atty. General for legal services,—which, and a host of others, it is not presumed Mr. Fleming will pay,—put down for all such items at the very least \$2000 per mile, and you

have a total of \$47,515 per mile, nearly \$2000 per mile more than the old lines cost after twelve months' upholdance. And yet the attempt is made to convince us that the road will cost very much less than Lauri's estimate. Comparing this cost with other roads in Canada I find the average cost of 664 miles of railway is put at \$27,847 per mile. The St. John and Portland road is said to be contracted for at \$35,000 per mile. The road from Portland to Montreal was built and equipped for \$36,000 and the contractor it is said cleared a million and a half dollars by it. In the state of New York the average on 490 miles is put at \$35,000, being \$12,515 less than the Picton line will cost us. But the house might not be so much disposed to complain at the cost if we were only assured that the road will be faithfully built. What security have we? Where are the means for controlling the new contractor? We have been told that the engineering staff is in the control of the government, but we should not forget that they are the same men who came here with Mr. Fleming and are to a large extent dependant upon him and instead of acting in the interests of the government, if I am not misinformed, some of them at least are acting as the agents of Mr. Fleming. Again we are told Mr. McNab will ensure the faithful performance of the work, but does any one knowing the men really expect this? The Prov. Sec. told us Mr. McNab's salary is fixed at \$2400 per year. Mr. Fleming's was \$3000. Now the moment the government fixed Mr. McNab's salary at less than they paid Mr. Fleming, they made an acknowledgement that Mr. McNab is worth less than Mr. Fleming, and yet they tell us the inferior man will control the superior. Mr. McNab control Fleming! The idea is absurd. You might as well expect the little steamer *Neptune* to prevent a Cunard ship from going to sea, or ask one of the ferry boats to keep out the Fenians, or Admiral Hope and his fleet. But the Prov. Sec. tells us the Province is safe, the quality of the work is ensured, because the old contractors who have been driven off the work will watch its progress, and report any neglect to the government. Mr. Speaker, this is too bad—too bad, indeed, to be seriously told that the faithful disbursement of these millions is dependent upon the rumors that may reach the government. Has it never occurred to the Prov. Sec. that those old contractors whom he describes as ruined, cannot afford to spend their time inspecting this work; that they will be forced to seek some paying employment to earn bread for their families. And what then? What course will the Prov. Sec. take. Will he hire a brigade of boys from the Industrial School, or if the expense is too great for a retrenchment government, will he detail a detachment of old women from the Poor House? The Provincial Secretary seemed to feel his position and the difficulties and absurdities into which he has got when he laid the papers containing this contract upon the table of the house, and endeavored to excuse and shelter himself under the plea that the management of railways by government was not his policy. I tell him the policy which he is pursuing is not the policy which the house for eight or ten years has pursued, by which the work should have been let by public competition,

and our interests guarded by an efficient supervision. Did the hon. gentleman intend his remark as a passing fling at the man who has been most instrumental in introducing this policy of government railways into Nova Scotia, and to announce his policy of withdrawing from the entire responsibility of railway management. In the early history of railways in the country where they had their birth the Parliament of England stood aloof from railway management until the evils growing out of overgrown monopolies, gambling railway directors, and the false value of shares were ruining thousands, and forced government to step in and exercise almost as great a control over the railways of the kingdom as we have over our government railways. They fixed the character of the road, the nature of every bridge on it, the maximum tariff; they supervise its maintenance; approve all bye-laws of the companies; make public weekly returns of the earnings and expenses; provide for cheap or Parliamentary trains each day on every road, and reserve the right to purchase the road at the end of 20 years after granting the charter. The Provincial Secretary's policy, however, is entirely different; he subsidizes companies, and then leaves them uncontrolled; and where does this policy lead? It has led him to deal with a company that has been publicly charged by a committee of investigation with having by its chief manager, Mr. George Knight, paid away £72,000 as secret service money in procuring contracts, paid by the man who has secured from the Prov. Sec. the contract for the Annapolis railway. But what has the hon. gentleman's policy led to in other countries? In the history of railways in Canada, as detailed in a work called "Eighty Years' Progress of British America," we have an account given of the influence acquired by one member of Parliament, in the control he held over the subsidies from the government and the municipalities. Let me read a short extract—

"An English Contractor was, without competition, about to pounce quietly upon the contract for the Toronto and Hamilton Railway, when his American 'brother' demanded and received a royalty of £10,000 sterling, before he would allow a corporation to be so imposed upon."

Here is a case precisely similar to our's in one respect, a contractor about quietly to pounce upon a contract, and if we for a moment suppose Mr. McNab capable of using this advantage over Mr. Fleming, he might have levied black mail before allowing the Province to be "imposed upon." Let me trouble the House with another instance.

"The Toronto Northern road was let to a company of American contractors at a price per mile payment being made chiefly in the Company's stock and bonds and the Government guarantee debentures. One half the work upon seventy-five miles should first be completed by the contractors. Having exhausted their means in reaching, as they hoped, this position, the contractors, through the company, called on the Government for the advance, but upon an inspection by the Government Engineer, the road was found to have been so "scamped" that the commissioner of public works refused to recommend the issue of the Provincial bonds. Here was a fix! But the contractors sent for their American brother, who, for a brokerage of \$100,000 of the first mortgage bonds of the

Company, undertook to obtain the guarantee. He went to his colleague in the Government; the commissioner of public works was hunted out of office on a suddenly raised issue (which immediately thereafter was dropped, and in one week after the guarantee bonds were forthcoming. In connection with this incident it is worthy of remark, that a member of the Government shortly afterward paid away nearly £10,000 of the first mortgage bonds of the same company in the purchase of real estate."

Such are the fruits borne in other Provinces, by the policy which the hon. gentlemen has adopted of mixing up members of government and companies. Turning to the mother country we find the same pernicious evils were at work there before Parliament declared that all the accounts,—the disposal of all monies should be made public. Lord Brougham advocating such a remedy in 1849, said:—

"I have seen some of the bills of cost to which the carrying of those railway measures gave rise. I saw that the money had been spent, but I never for a moment supposed that a single shilling of that money went improperly into the pockets of the agents; they were men of honor, and incapable of appropriating a penny of that money to their own use; but they were perfectly capable of applying shares for the benefit of the company. They were prompt to send shares in the right direction—nothing so good as shares in right places: *applied to members at critical moments*—nothing could be more effectual than the application of shares; they often brought down half a dozen members or more to vote upon a question they had never heard debated."

If, then, these are some of the fruits which a policy very much akin to that adopted by the Prov. Sec has produced in other countries, I think there is little doubt but the reputation of Nova Scotia and her public men will be safer under the old policy upon which we acted for a number of years. But says the Provincial Secretary, "do not pass this resolution, it is a serious matter to tie down our public men."—Sir, I think there are a good many public men who are the better of being tied down—restricted in their action, and it is a much more serious matter when they will not like the Davenport brothers stay tied. The member for Ya-mouth spoke of one of our public men as the "big brother" and we have also the little brother. When we left here last year we thought we had those brothers "tied down" to one course in the construction of Pictou railway by an act as clear and strong as can be put upon our statute book, but when we returned, we found to our amazement the brothers, Davenport like, untied, and "going with a perfect looseness." The Prov. Sec makes another complaint. He charges us with going into the investigation of this subject to arouse public feeling against the government. No, sir, it is not for that object. We did not require to take it up for that purpose. Public feeling runs already strong enough against the government to sweep it away whenever opportunity offers. Upon that issue alone of public retrenchment, which the hon. gentleman raised in 1862 and 1863 the public decided him unworthy of confidence. They now see him paying out exclusive of railways over half a million of dollars a year more than he proposed in that scheme, and how earnestly did he advocate it. Never sir, have I

seen it equalled upon the floors of this House. O I shall never forget the hour when he gave his solemn pledges to carry out his scheme; when he told us he had put his hands to the plough and would never look back. Every lesson of my life in economy and retrenchment rose up before me. I thought of him who had given me lessons in early life and who here in this House for eighteen years was acknowledged on all hands a faithful guardian of the public interests, and who never by word or lips or pen or deed gave me, his son, any cause to suspect his honest zeal in protecting the public chest, and asked myself what would he if living and here bid me do. The answer which came to my mind was, if the scheme is practicable and sound support it, regardless of the fate of any government. Believing it unsound I voted against it. But not so with the people: they accepted it and gave him an overwhelming majority to carry it out. Where is that scheme now? Where is the hon. Prov. Secretary? Paying away half a million more than he proposed in 1863; and on this issue alone the people have determined to remove him. They have heard of men riding in public conveyances with a loose mantle about them and a pair of false hands folded in front to lull suspicion while the real hands were finding their way into their fellow travellers pockets, and they now think that when the hon. gentleman put on the mantle of Herbert Huntington, and the old reformers, the hands he put to the plough were not real—that the real hands were hidden that they might the better get deep to the arm pits in the public chest, and they wait—they long for the opportunity to sweep him from his position. Therefore, Sir, there was no necessity to bring this case here to excite public opinion. But, Mr. Speaker, if having brought it here for investigation in the discharge of a public duty, what if the people should on an examination of it decide that the public interests have been bartered away and betrayed—that the man whom they once believed in as the Apostle of Retrenchment has become the great High Priest of jobbery and corruption? Who then shall restrain limits to their just indignation as they take him, loaded down though he may be, by the share of the offerings that fall to the priest and, impale him upon the horns of the altar at which he ministers.

The House then adjourned.

WEDNESDAY, March 21st 1866.

The House met at three o'clock.

PETITIONS &C.

Mr. BOURNOT presented a petition from Cornelius Sullivan and others of Sydney Mines, in the County of Cape Breton, in reference to Crown Lands. Referred to Committee on Crown Lands.

Mr. Ross presented a petition from the Custos and others of Baddeck, praying such an alteration in the license law as will separate the sale of groceries from that of liquors.

Mr. McDONNELL presented four petitions from the County of Inverness against Confederation.

Also a petition for the establishment of a daily mail, and a Money Order Office.

Mr. D. FRASER presented a petition from 200 merchants and others asking the erection of a lighthouse on Carriboo Island.

Mr. HEFFERNAN presented a petition from Rev. F. Von Blek and 66 others of Guysboro County, against Confederation.

Also a petition from inhabitants of North Shore, of Chedabucto Bay, Guysboro County, for aid in opening a Boat Harbor, for accommodation of fishermen.

Mr. ARCHIBALD introduced a bill to amend the chapter of the Revised Statutes, relating to Fires and Firewards. The object of the bill was to enable the Sessions to assess the value of buildings pulled down to arrest the progress of conflagrations.

Hon. PROV. SECRETARY introduced a bill to amend the Act in reference to the registration of Births, Deaths, and Marriages.

Mr. COFFIN presented a petition for aid in clearing river obstructions in LaHave river.

Also a petition for a change in the law relating to river fisheries. He said that the present law prevented the taking of fish within sixty feet from a fish ladder, and this distance included the whole of the river between the ladder and the tide water, so that the taking of fish was prevented in LaHave River.

BOARD OF AGRICULTURE.

Hon. MR. MCFARLANE laid on the table the report of the Board of Agriculture. He said that the operations of this Board during the past two years were attended with the following results:—In 1864, there were 37 Agricultural Societies in operation; to which number 11 had been since added. The membership of these in 1864 was 1,744, and in 1865 it was 2,198. Subscriptions were in 1865 \$2,385, being \$525 in excess of the previous year. In addition to the ordinary operations of the Board, attempts had been made during the past year to ascertain the state of the crops of the Province, by holding communication with the local societies. It was known that certain counties were peculiarly adapted to the production of certain kinds of crops, and the Board had endeavoured to gain such information as to lead to a practical improvement in this particular. The Board last season had done something towards the improvement of stock, and their efforts had been more successful than had been anticipated.

Mr. PARKER expressed his pleasure at finding that the agriculturalists of the country were at last beginning to make a move,—from the time of Sir Gaspard LeMarchant little had been done. He thought more credit was due to the Attorney General and Provincial Secretary, in reference to the improvement of stock, (those gentlemen having made importations of horses), than to the central board. The amounts realized by the sale of the stock imported showed that the demand for such stock was very great. Many of the societies were saving their funds in order to make purchases, and the only fear was that the supply would be insufficient. The President of the Board also was entitled to credit for having made importations from Canada, but when that supply

came the proper season had passed. Upon the closing of last year's accounts he had strongly urged that a further supply from Canada be at once obtained,—if this course had been taken, the expenditure which it involved would have been returned to the treasury. He had for many years turned his attention to the subject of a stock farm, and believed that in no way could the stock of the country be so well improved as by this means, or other improvements, as for instance in farm buildings, be so well effected. By such means the growth of the imported stock was secured. He had also been for some time looking forward to a Provincial Exhibition, but the Province having been so long without one he would be now almost ashamed to see the attempt made. How could the farmers be expected to advance themselves without such encouragement? In going into the neighboring Provinces we immediately saw how far behind we were in all the farming appliances so commonly in use elsewhere. If proper assistance were given he was convinced that Nova Scotia would not be at all behind other countries in these particulars.

Mr. BOURINOT said that no one could read the Report without acquiring much valuable information. It was gratifying to know that the Board was presided over by a gentleman who devoted so much time and attention to the subject under consideration, and he could not refrain from also alluding to the Secretary, Professor Lawson, who had exhibited great ability in the management of the Journal, and in the discharge of his other duties. He wished to call attention to one or two matters which had been the subject of complaint: there had been a sale of stock in Pictou, and the notice given had not been sufficient to enable persons in Cape Breton to attend, as it took place three days after the advertisement was issued; there was subsequently a sale at Bedford of which no notice was given in Cape Breton. He hoped that greater facilities in this respect would be afforded in future. As far as the importation of horses was concerned, he doubted that blood horses were suitable for farming purposes.

Mr. S. CAMPBELL said that the hon. gentleman who had just spoken had anticipated what he was going to say with reference to the sales of the stock. The operations of the Board had hitherto been too centralized, and it would be seen that the distribution of the stock imported had been confined to the central counties; and chiefly benefited a class of persons whose object was personal profit, not the sort of persons whom the grant was intended to aid. The importations would have been more generally beneficial if the cattle had been gratuitously distributed. The notice given had been far too short to allow parties in distant portions of the Province to be present at the sales. By this report it appeared that the horses imported would not be sent during the present season to the distant counties, which he thought had the first claim, and the greatest need.

Hon. MR. MCFARLANE explained that the stock arrived after the time when they were expected, and so late in the season that the sale had to take place immediately on their arrival. There were, however, persons present who professed to represent Cape Breton. The fact was, that four fifths of the animals had gone into possession of the agricultural societies, and that the parties competing were

not wealthy persons, but combinations of farmers who had accumulated a fund for the purpose of purchasing. Private persons would not have been disposed to give the prices realised at the sales—as for instance, from \$60 to \$70 for sheep. Those prices were unprecedented, and convinced him that importations could be made with very little loss. The sheep had averaged \$30 each; while ten years ago, the average was \$12. It should be remembered that the central counties were those in which agriculture was most extensively carried on. In some of the further counties difficulties had been experienced in organising societies, and in Guysboro' there was but one society with 40 members. The horses would be found valuable for breeding purposes, but it was intended to import another class for farming purposes.

Dr. HAMILTON remarked that there were 40,000 persons in the Province engaged in agricultural pursuits, besides laborers, who would number about 10,000 more; the importance of the subject was therefore exceedingly great. A great deal of improvement had been already effected, although the Board had only been in operation for two years, having imported 50 sheep, 4 horses, 4 mares, 6 bulls, and 1 heifer. He thought the establishment of a stock farm would be of great service: stock had been imported at great expense; but they could in this way be preserved, and the breeds reared for persons who would be desirous of making purchases, thereby supplying the animals at far less cost than by the present mode. He recollected when the late Mr. Geo. R. Young made importations years ago, and on that occasion the agricultural society of Cornwallis purchased some of the animals, and the advantages obtained were still perceptible. In reference to the *Journal of Agriculture*, he said the paper was small and should be enlarged, as it was the means of disseminating useful information. He commended very highly the exertions of the Secretary of the Board, and expressed the hope that the agricultural interests of the country would steadily improve.

Hon. ARTY. GENERAL said he congratulated the Board, the House, and the country, on the desire manifested to advance the interests of agriculture, which were a part of the foundation of the country's prosperity. The industrial pursuits of the people of the Province were formerly but two, viz., agricultural and fishing, but within the last few years the pursuit of mining enterprise had been added.—According as the latter extended, the market for agricultural products would be improved. It was a matter of great consequence that something like a system should be pursued in reference to efforts to improve the stock. The complaint which had arisen as to the distribution of the cattle sold, arose from the small number of the importation, and it would appear from the prices given that the people did not expect another supply for the next ten years. To make a permanent improvement the establishment of a stock farm would be necessary. The freight and insurance of a horse amounted to about 30 guineas sterling and the purchase itself would cost from 100 to 1000 guineas, but the cost of rearing the animals would not be a quarter of that expense, and with proper stabling and care, the obstacles sometimes encountered in making importations could be obviated. It was well known

that horses which were diseased in England were much improved on, arriving in a different climate. In reference to the remarks made respecting the utility of thorough bred horses for farming purposes, he would say that the system adopted in England of raising from thorough bred horses, would have to be adopted, and it had been found to produce excellent horses for all purposes from the first cross. In England they had for general use horses of that breed, and for heavy work they had the dray horses—some weighing 2,000 pounds; if thought desirable, this latter species could be obtained. A provincial stud book could also be kept, so that any one having a horse of a good breed for sale, could trace its pedigree for several generations. In reference to the production of wool it would be found that the difference between some animals, as compared with others, was 200 per cent, some producing double the mutton and double the wool that others did. It was found that some of the long woolled sheep in Vermont, coming from English stock, were more valuable than the celebrated merino breed,—the rearing of this sort of stock might also be carried on in this Province with advantage, as the wool raised in the United States was only sufficient to supply one half of the consumption. He believed that the *Journal* would be found productive of great benefit in directing the minds of the farmers to the improvement of their condition, and concurred in the remarks made concerning the valuable services of the indefatigable Secretary of the Board.

Mr. TOBIN said, that in this discussion there had been a great deal of cry and very little wool. There had been speeches all round on the subject of the 8 horses and mares, the 6 bulls, the one heifer, and the 50 sheep that had been imported, and the debate had cost the Province in the shape of Legislative expenses about £100. The member for Guysboro' had complained that the Sheep had not been sent to his county, but what was the use of sending sheep where there was no grass? The member for Colchester, Mr. Parker had harnessed himself to the plough only to show his inability to draw it,—and so gentlemen became eloquent on agricultural matters, while those who represented the fishing interest were sitting like dumb idols. He knew an old gentleman at St. Margaret's Bay who had 125 children and grand children and yet nothing in the shape of a premium had been given to the people of that locality. He thought it time for gentlemen representing fishing constituencies to take their turn in claiming attention, for if it were not possible to improve the breed of fish, something might be done in the way of remitting duties upon the articles used by the fisherman.

Mr. LOCKE agreed, that agricultural affairs always obtained undue prominence, but it should be remembered that large expense would probably be soon incurred in the protection of our fisheries. He thought, however, that measures might be taken to prevent the mackerel leaving our shores.

Hon. Mr. SHANNON said that efforts were made in some countries to bring back the fish that were leaving. He doubted not that the time would soon come when the last of our Salmon would have disappeared, and any measures that would tend to preserve our fish would be exceedingly beneficial.

Mr. KAULBACK urged very strongly that the Government take measures to ensure the protection of our fisheries from encroachment and to place the arrangements respecting the Labrador fishery on a satisfactory basis.

Hon. ATTY. GENERAL said he had listened attentively to the hon. member for Halifax, (Mr. Tobin), expecting to hear some practical suggestions, but that gentleman had never brought forward any measure relative to the fishing interests—if he had done so, he (Atty. Gen.) would have given it his cordial support. A proposition for the establishment of a Board in connection with that branch of industry, he thought would be well received. Many of the counties were half farming and half fishing counties, Lunenburg for example, and the fishermen of that county, he thought, were deserving of every encouragement and of much credit for their enterprise. In that respect they occupied the first position.

Mr. ARCHIBALD agreed in the remark that no practical proposition had been made in reference to the fisheries. He felt the importance of Hon. Mr. Shannon's remark concerning the salmon fishery. In connection with this subject he had some years ago made a suggestion which, if adopted, he thought would have been found exceedingly productive of benefit, namely, to establish a nursery for fish in the Bras d'or lake. If the members for Cape Breton would take the money now being expended in digging a hole in the rear end of that lake and stop the other end up they would be doing something practically useful.

Mr. TOBIN said that he was not in a position to bring forward measures in connection with the fisheries—that was rather the duty of the government and the fishery Committee. He was glad to hear that something would soon emanate from those quarters. He trusted that the most effectual steps would be taken for the protection of the fisheries, and that a steamer of such speed and power as were required would be equipped.

The Report of the Board of Agriculture was referred to the Committee on Agriculture.

The debate on the Pictou Railway was then resumed.

SPEECH OF THE RAILWAY COMMISSIONER.

Mr. LONGLEY said:—I would much prefer having waited until I was better prepared before making any observations on the subject of the resolution before the House. I think on some accounts it would have been better if that resolution had not been moved. However, there are considerations connected with this question which will clearly establish, I believe, that the time has not been wasted in the discussion of a matter of such absorbing interest as this. Unfortunately, for years past it has been considered almost treason on the part of certain persons in this Province to say anything expressive of their interest in the great public works of the country. But it would be a great mistake to infer because certain parties might years ago have assumed an attitude of apparent hostility with reference to public works, that they, therefore, do not possess as heartfelt an interest in these works, and in whatever appertains to the general prosperity of the country, as any other persons in the Province. It is partly on this account, and partly because I occupy a position which

brings me into immediate connection with the railways of the Province, that I am induced to trouble the House at all on this occasion. In the remarks that I shall make, I shall aim simply to prove that the arrangements which have been made with Mr. Sanford Fleming are not only of a most economical character, but also, in every aspect, the most judicious that could have been accepted by the Government. I hope I shall not be lead away to imitate the example of the hon. gentleman who addressed the House yesterday afternoon. I shall not, in the first place, seek to establish certain theories, and then base certain arguments upon these theories, without regard to their truth or correctness. I shall not attempt to dwell in bare generalities and hypotheses in order to found a charge against the Government. I assume that if it can be clearly demonstrated that the best possible course has been adopted with reference to the Pictou Railway, the intelligent people of this country will pardon the Government who, in their desire to subserve the public interests and advance the progress of an important public work, have run the risk of incurring the censure of this Legislature.

We must all of us bear in mind that the Pictou Railway was commenced on entirely different principles from those that were applied to the great public works that were previously constructed. It was not a matter of speculation what this public work would cost, but it was possible to ascertain, within a few thousands of dollars, the actual expense of this undertaking. Instead of taking tenders for the completion of different sections of the line, for a lump sum, we took them on certain stipulated prices for certain descriptions of work that had to be performed. When these tenders were received, all that was required on the part of the Chief Engineer was to make a careful calculation of quantities, and then he had the entire cost of a particular description of work on this road. In the first place, I wish to call attention to the fact that when these calculations were made it was ascertained that the cost of various kinds of work amounted to the sum of \$965,000 or little less than a million of dollars. I shall now undertake to prove that, assuming the work could have been performed at the prices stated in these tenders, the road would not have been built at a cost less than the amount for which Mr. Fleming has agreed to construct it. But I hope to be able to prove more than this—that if it were not for the course pursued by the Government, this road, instead of costing \$2,116,000, (the cost under the existing contract) would cost \$2,230,000, or \$2,250,000, and possibly two millions and a half of dollars. I like to be as charitable as possible with respect to the motives of my fellow-men, but I am very much inclined to believe that much of the dissatisfaction that exists in certain quarters originates from the disappointment felt that the Pictou Railway is not to cost three millions of dollars. It should not be forgotten that it was reported all over the Province, previous to the contract, that the Pictou line, under the mismanagement of the Government, the Chief Commissioner, and the Chief Engineer, was to involve the Province heavily. And here let me observe having mentioned the name of the late Chief Engineer, that

whilst some gentlemen have attempted to impute all kinds of motives to him, no one has ventured to impugn his eminent qualifications as an Engineer. It has been insinuated that Mr. Fleming was laying his plans for months to get possession of the contract, but it seems to me that no man who attempts to investigate the facts connected with the Pictou Railway could come to any such conclusion. If he had any such intentions, he would have developed them in a very different way from that which he has actually pursued.

We know that the contracts for the different sections of the Pictou line got into the hands of different classes of men. Some of them were experienced, and had a large amount of capital. It is quite possible that some of them might not have had as much experience as was desirable, but nevertheless all of them had more or less means, were men of repute and used their best efforts to push forward their work. The work, however, had made very little advance before it was evident that the prices given in the tenders were altogether inadequate to enable the contractors to perform their engagements. They had, then, to apply to the sureties who advanced them money. This went on for a while, until the drain upon the sureties became so great, that many of them refused to advance anything more. They thought it better to stop at once before incurring more serious losses in connection with a work which was taken for prices entirely inadequate, and which, if completed under those prices, could only ruin the contractors. If we take section No. 7, we shall be able to form an accurate conclusion on the question before us. In the month of July last Mr. Donald Grant, the contractor for this section, intimated to the Railway Department that it would be impossible for him to proceed with his contract unless some modification was made in his favour. He said: "It is quite impossible for me to complete my contract unless the government can give me better prices for certain kinds of work." Let us look at one class of work, and the prices Mr. Grant received. He was to get 16 cents for a cubic yard of earth excavation. That is considered altogether insufficient; indeed, it is so proven by facts in our possession. Mr. Grant, it is known, to the house tendered a second time, when the section was subsequently put up to public competition. Then he offered a price of 26cts, for what he had previously offered 16cts—that is nearly double. Gentlemen can easily fancy what a difference this price would make running over the great amount of work it referred to. I may say, in passing, I believe, as a general thing, the prices on which these tenders were undertaken were altogether insufficient. It is quite true, however, that in reference to certain classes of work the prices were sufficient, and that is proved by the fact that certain contractors are performing it now under Mr. Fleming. This fact, I may add, shows the disposition of Mr. Fleming to assist the contractors wherever it is in his power to do so. It is nothing else than generosity on his part that he should, at the first opportunity that offers, give them that description of work which he knows will remunerate them.

On the 7th July Mr. Grant informed the Railway Commissioner that he would be un-

able to proceed unless he obtained some modification of his contract. On the 11th he told that it is impossible to depart from the terms of his tender. On the 26th he states again that it is impossible for him to proceed; on the 26th, I wrote Mr. Grant: If you do not proceed in three days from the date of this letter, the contract will be taken out of your hands. And the result was that the contract was taken from him. (Mr. Archibald here objected to Mr. Longley reading public documents in connection with the question which were not on the table for the information of the house. After some debate, it was agreed that Mr. Longley should lay any papers he might use in the course of his speech, on the table, when he concluded. He then proceeded:) I do not wish to impute any motive to the leader of the opposition, but I hardly think that the hon. member has pursued, since this debate commenced, a course that reflects a great deal of credit upon himself. I would not venture to read documents of a public nature unless I was quite prepared to lay them before the house. I have brought these documents here to show how much vigilance has been exhibited by the Railway Department and the Chief Engineer; that there might not be the least delay in the progress of this great public work. I hold now under my hand a document addressed by Mr. Fleming to myself.

*Morning Train, going north, }
August 7th 1865.*

DEAR SIR,—Acting on the suggestion which I made, when last I saw you, and assuming that you will authorise me by letter to begin operations on Section seven by day's labour, I have given instructions accordingly, and work will be commenced there without delay. As time slips past so rapidly, and already a month of the best working season has been lost on that Section, I deemed it advisable when over in that quarter on Friday and Saturday to institute active measures. Should you on reflection think it best not to proceed in this manner, or whether you do or not, I will thank you to telegraph me, on receipt of this, to Londonderry your views, so that I may be able before leaving for the woods for a day or two, to give orders either to carry out the directions already given, or suspend them. By thus anticipating written authority to proceed, fully a week will be gained. I hope to be at Londonderry about 12 o'clock noon to-day, and will then expect to hear from you.

Yours truly,
SANDFORD FLEMING.

AVARD LONGLEY, Esq., Chief Commissioner.

The following reply was sent to him:—

HALIFAX, August 7th 1865.

Sandford Fleming Esq, Chief Engineer, Londonderry.
I approve of your action in regard to No. 7 Contract, proceed immediately.

AVARD LONGLEY.

Subsequently I addressed the following letter to the Chief Engineer:—

*Nova Scotia Railway Commissioners Office }
Halifax, N. S., August 13th, 1865. }*

Sandford Fleming Esq., Chief Engineer.

SIR.—I purpose calling for Tenders for the completion of the works on Section No. 7, left unfinished under McDonald and Grant's Contracts; but it is more than likely that some considerable time will elapse before the work can be resumed in this manner. I think it is highly desirable that no time should be lost during this, the best working season of the year, and I have therefore to request that you will endeavour to devise some means of carrying on the works in the meantime by day's labour, or otherwise. I leave the manner of doing so, entirely to your own judgment.

Yours truly,
AVARD LONGLEY.

Advertisements for tenders for section No. 7 were inserted in the public newspapers and we received 28 offers. I wish to call the attention of the house to the fact that the lowest tenders received the second time exceeded those of the first by \$18,000; Mr. Grant's first tender, calculating all the quantities, amounted to \$85,700; the lowest tender, on the second occasion, was \$103,700, making the difference just stated. Mr. Grant himself tendered again for the amount of \$25,000 above his previous contract. Now if you multiply this \$18,000 by 10—the number of sections on the line,—you will have \$180,000, as the amount that the price of the lowest tender extended to the whole line would have realized over and above the first contracts. Therefore any gentleman will see at a glance that the Province has saved an immense amount by the arrangement that has been made with Mr. Fleming. The gross cost of the road—that is, of the kinds of work that the prices of the first contracts embraced, amounted to \$965,000 as I previously stated. Any person at all acquainted with public works will understand that there must of a necessity be a considerable percentage allowed for contingencies that may and must always arise. For instance, the subsidence of embankments, &c. Take an illustration of what recently occurred on the road. It is well known that during the winter an important culvert erected last autumn has been swept away, and that a considerable loss has been consequently incurred. Again at New Larig there was expended during the past two or three months thousands of dollars in a way that was not at all apprehended. My intercourse with Mr. Fleming has shown me that he leaves nothing to chance; he does not tell you that a road is to cost 8000, or 9000 pounds, when the actual expense is £12,000. Mr. Fleming thought, looking at the road at New Larig, that he had a good foundation for the heavy masonry that he had to erect, but taking the precautions that he always exercises, he bored down into the earth and found that he was in a bed of quicksand. Therefore he saw at a glance what would have been the consequence had he expended hundreds of thousands of dollars on the locality. I therefore add 10 per cent for contingencies to the \$960,000, which makes a total of \$1,061,500. I have taken some little pains to ascertain what proportion of the expense of a railway this sort of work embraces, and from reliable data I am led to the conclusion that under ordinary circumstances, it is about half the actual cost. If, then, you multiply this \$1,061,500 by 2, you will have \$2,123,000, or \$3,500 in excess of the amount contracted for by Mr. Fleming. Does any gentleman require me, I ask in all fairness, to go further than that? Assuming that the contractors could have performed their work at the prices on which they agreed, then the cost of the line would have been \$6,500 more than it will be under Mr. Fleming's contract. I am free to admit that outside of Mr. Fleming's contract there will be necessarily some expense, but it will not be sufficient to make the cost of the road greatly exceed what it would have been had the contractors been able to complete the work at the original contract prices. These facts should be considered carefully by all those who, uninfluenced by motives

of self-aggrandisement and political advancement, wish to arrive at correct and unprejudiced conclusions on this subject.

I said before that these contracts were all thrown to the wind. The contractors had spent nearly all they were worth. Take the case of Mr. Donald Grant; the course pursued by him is worthy of all credit, and exhibits him as a man of great energy and enterprize; he was in good circumstances previously to the taking of his contract; but now he is pecuniarily speaking, a ruined man. He sank all his means because he paid all his men. His case will show what would have been the fate of all the contractors if they had been forced to complete the work.

Mr. Grant's second tender exceeded his first by \$25,200. Multiplying that amount by the 10 sections on the line, you have \$252,000. No one, who looks at all the circumstances, can doubt that the cost of the line must have been immensely enhanced had all the contracts been relet under terms like those offered a second time by Mr. Grant and others I may here observe that it has been broadly insinuated that Mr. Fleming had been planning for months to obtain a transfer of the contract to himself. He did not allow the contractors liberal measurements; he exacted from them a higher class of work than the specification required, these and a number of other charges of a similar character were made against the Chief Engineer. Now I am going to prove how the contractors were dealt with. It so happened that after a time the contractors became embarrassed for want of means, and applied for advances; and their request was invariably granted when the circumstances justified such a concession. The rule was to pay the contractors monthly—about the 14th or 15th of each month; but it was also a great convenience to them to obtain payments in the interval. I am now going to give the amounts of the advances to the contractors, and to show that in every instance the chief engineer exhibited a disposition to assist the contractors in respect to the advances as well as in all other matters connected with the construction of the line. On No. 1 we advanced \$16,422; on No. 2 we advanced \$9078.80; on No. 3, \$3,647; No. 4, \$10,000; No. 5, \$6,400; No. 6, \$5200; on No. 7, \$1000; No. 8, \$4900; No. 9, \$3000; No. 10, \$1000. We gave an amount of over \$61,000. These advances, I may add, were not given on any measurements, but assuming that an amount of work was done equal to the sum asked for.

As I previously stated, we received 28 tenders for section No. 7. The lowest of these was \$18,000 more than Mr. Grant's original contract, or \$103,700. Taking the average of these tenders the amount would be \$132,090, or an excess of \$47,000 over Mr. Grant's original tender. If we had tendered for other sections, we may fairly assume that the sums would be fully equal to those offered on No. 7. Now multiplying this \$47,000 by the 10 sections you have nearly half a million of dollars above the cost of Mr. Fleming's contract. I confess I am unable to apprehend on what ground exception is taken to the present arrangement. It surely cannot be on the score of expense. I feel I might have been relieved from going into these particulars. A reference to Mr. Laurie's report upon which the hon. leader of the Oppo-

sition dilated so strongly the other day, would have been amply sufficient to have shown the cost of the Pictou Railway. If I understand the estimate made by Mr. Laurie it was that the Pictou line would cost about \$12,000 a mile. The length of the road, under his estimate, was 42 miles instead of 50½ as at present. Some gentlemen may be surprised that there is this discrepancy between Mr. Fleming's report of 1865, where he tells you that the length of the road from Truro to Fisher's grant is 48½, and the statement which he now makes that the length is 50½. When the former report was made the road was not actually located. Changes were subsequently made, altering the length of the road to a considerable extent. Taking Mr. Laurie's report of \$12,000 and multiplying it by 50 you will see that the cost of the line would be \$2,400,000. Again taking Mr. Laurie's estimate for the superstructure you will find that there is a difference of fifty-six pounds a mile between that estimate compared with Mr. Fleming's. Any gentleman who will take the pains to examine the list of prices comprised in Mr. Laurie's estimate for the superstructure, and compare it with Mr. Fleming's will find the difference between the two so insignificant as to be scarcely worth talking about. Taking the cost of railways in in the State of New York, where there are thousand of miles, it will be seen that they cost at least 12 or £13,000 a mile, and upon what data now any person could come to the conclusion that a road could be built here for less than £10,000 or £11,000 I cannot imagine. Making the necessary calculations you will find that the cost per mile of the Pictou Railway, under Mr. Fleming's contract, will be less than £11,000.

I am confident that the road will be built under the precise terms of the specification. No man, I think, need have the slightest apprehension in respect to the character of the road. Even if there was no inspection of the road, Sanford Fleming has too great a reputation as an Engineer to hazard it by any incautious conduct on his part. He is not likely to build a road that would injure irremediably his high standing in the profession of which he has always been so able a member.

(It being past the hour for adjournment, Mr. Longley closed his remarks and the house adjourned.) On Thursday, he resumed them as follows:—

In my previous remarks I stated that in addition to the sum stated in Mr. Fleming's contract, there would be also a supplementary amount to meet contingencies. Since last evening I have turned my attention to this part of the subject, and have ascertained from the best information I could obtain that the supplementary amount will not exceed \$50,000 at the most. Add this to the amount embraced in Mr. Fleming's contract, and it will be seen that what I stated last evening was correct, that assuming the road had been completed under the original tenders, it would at any rate have been nearly equal in amount to what the road will cost now.

At this stage of my remarks I may state that there has been from the first the most earnest desire on the part of the Government and its officers to push this road to completion at the earliest possible moment. Two members of the Government, the Chief En-

gineer and myself, in September last, took the pains to go over the road with a view of personally inspecting the progress it was making. We were quite aware that the works were in a very unfavorable condition, and in fact that the bulk of the contractors were looking quietly on to see what the result of giving up the contract on No. 7 would be. The result of that examination was to satisfy the Government and all concerned that at the rate of progress pursued for the past season—it should be remembered that the season had been especially favorable—the road was not likely to be completed in a less period than three years. It is stated by the Chief Engineer that at the rate one of the contracts was progressing it would not be completed for six years. Every gentleman will understand how much disappointment would have been felt by all those interested in the speedy construction of this work, if its completion was to be delayed for a long period. A very influential company was engaged in raising coal, and was prepared the moment the road was built between Fisher's Grant and the Albion Mines to ship large quantities of coal. Other enterprises were known to be on the point of starting, all of which would keep the line busily occupied and make it yield large returns. For this and other reasons the government were very anxious that the road should be built at the earliest possible period.

I am now going to show that under the tenders received from different parties for the performance of the whole work, it would have cost considerably more than it will now. It is within the knowledge of most members that there were 10 tenders received for the performance of the entire work upon the Pictou Extension. In making my calculations I have taken the average amount as a basis, and I find that the work which the original contractors agreed to perform would have been \$2,276,529, and assuming this to embrace half the actual cost of the road, and taking the average of the tenders, it would have cost, instead of \$2,116,500 as now, the sum of \$2,553,058.

But let me, before it escapes my recollection, refer to a letter which I think has an important connection with this question, as showing that the Government were well advised in not accepting the second tenders which were received for No. 7 section. It is a letter from the Chief Engineer to myself and upon which the tenders were rejected.

*Engineers' Department, Railway Office,
Halifax, N. S. Sept. 5th, 1865.*

AVARD LONGLEY, Esq., Commissioner.

DEAR SIR,—I have examined the Tenders recently received for the completion of works left unfinished on Section No. 7 by the Contractors Messrs. McDonald and Grant. There are 28 Tenders in all, and the abstract which accompanies this, shows the relative value of each. Since these Tenders were publicly called for, you are aware that the various works on this section have been taken up, and carried on by this Department by days' labor; the supervision has been strict, and thoroughly practical, and the result so far I am happy to state is highly satisfactory. The system which has thus been inaugurated will I am satisfied have a beneficial effect on many of the other Sections where the works have hitherto been conducted in a slovenly, and far from economical manner. By this mode of executing the works on the Section I am convinced they cannot be completed better or cheaper, and although the whole section is greatly behind, I am sanguine enough to think it may

yet be finished before any of the others. For these and other reasons I am of opinion that it is inexpedient to accept any of the Tenders now received. I further think that the works on Section No. 7 may be continued as at present under your letter of authority of August 7th with advantage to the various interests concerned.

Yours truly,

SANDFORD FLEMING, Chief Engineer.

The Government felt, in view of the suggestions of the Chief Engineer, that it would not be advisable to accept any tenders. It is well known that when the contracts were thrown up, one after the other, the Government applied to the Chief Engineer and asked him how soon it would be possible to complete the road to Pictou provided that full and ample powers were given to him—in a word, with a view of having the road put completely under his control. The correspondence on that subject has been laid before you, and it is therefore unnecessary for me to weary you with any review of its details. It was thought that the road could in this way be completed more judiciously than by giving it out to contract a second time. It has been stated by the Provincial Secretary that there was found to be much inconvenience on this course. The payments could not be regularly or legally made. The Engineers could not ascertain from time to time how much work had been actually performed. Then it was believed, on the other hand, by the Government that to give to Mr. Fleming a personal interest in the completion of the work would be of advantage to the Province.

A good deal was said the other day by the leader of the Opposition in respect to Mr. Laurie's estimate of the cost of the superstructure. I think it rather important to see what foundation there was for that hon. gentleman's statements, inasmuch as it may be presumed that his skill in figures and his ability would enable him to bring to the consideration of this question an amount of intelligence and accuracy that few gentlemen in this house could equal. I have before me the statement of the different materials embraced in the structure, as given in the estimates of Mr. Laurie and Mr. Fleming. The first item has reference to the Rails. It was stated by the hon. leader of the Opposition that the weight of the rail under Mr. Laurie's Estimate was 63 lbs. per yard, and under Mr. Fleming's but 57. I wish to say in this connection that the rails were ordered before Mr. Fleming had the least idea of taking this contract, and are probably of a better quality than those alluded to by Mr. Laurie. If you take the probable or actual cost of the rail it will be seen that there is a very little difference between the calculation made by Mr. Laurie and Mr. Fleming. These calculations are not based upon the cost of the superstructure running over the 42 or 50 miles but of the cost per mile; therefore the length makes no difference. Mr. Laurie puts the rails down at £12 per ton. I have made a calculation which I believe to be correct, that the rails instead of costing £12, will actually cost £12.15 or £13.—Mr. Fleming's estimate is £13. I have estimated the rails at £10 per ton, and then added for freight 25s and 20 per cent which is little enough, for cost of purchase, insurance, wharfage, carriage, &c. In short, the whole difference between the two estimates is £56 per mile. The next item is "3½ tons of wrought iron joint plates,

at £20 per ton." The joint which Mr. Fleming proposes to use in the superstructure is one of an entirely different character to the one intended by Mr. Laurie, and I shall here have great pleasure in laying on the table a section of the steel-scabard joint which Mr. Fleming furnishes. Mr. Fleming sets down the cost of this material at £50 per ton. He has, I am confident, not over estimated the cost. Then there is "3½ tons of spikes, at £20 per ton," Mr. Fleming's estimate is the same. The items of sleepers, laying rails, carriage and distribution of material, switches, and crossings are the same on both estimates. There is a difference in respect to ballasting. Mr. Fleming allows but 3,000 cubic yards per mile, whereas Mr. Laurie's estimate is 4,800. I may say I believe from the best information I can obtain on the subject, the ballasting, as estimated by Mr. F., will be found ample under the circumstances in connection with the Pictou extension. Mr. F. has taken great pains and gone to large expense in the way of draining the road. He has even run drains up and down the slopes, and taken every precaution to prevent those tremendous slides that characterize our present road. These precautions will render a greater amount of ballasting altogether unnecessary. The entire cost of the superstructure, under Mr. Laurie's estimate, is £2,383, whilst under F.'s it is £2,439. The superstructure, under Mr. F.'s estimate is much superior to what was proposed by Mr. Laurie.

I have still another calculation which is worth considering. I believe, as a general rule, it will be found that the cost of the superstructure amounts to one quarter, or a little more, of the entire cost of any railway. The cost of the superstructure on our present railway was \$2899 1s. 8d. per mile. The average cost of the superstructure of the railways in the State of New York is £3299 5s; the entire cost per mile is £12,690. Therefore, taking any view of this question you cannot reduce the expense of the railway below that at which I have estimated it.

There is one feature about this railway which I think is worthy of attention, and that is, the substitution of the culvert or embankment for wooden or other structures which after a few years are subject to decay, and can only be replaced at a tremendous cost. Whilst this system has entailed considerable expense, it will be found much cheaper in the end in the way of upholding.

I have another method of computation, which I think will be found incontrovertible. Mr. Laurie estimated the cost of the railway at £12,000 per mile (including rolling stock), or \$48,000. Multiply this sum by 50½, and you get a total of \$2,412,000, or about \$295,500 more than Mr. Fleming agrees to build the road for. It is my opinion that there can scarcely be found a more difficult section of country through which to construct a railway, than that between Truro and the waters of Pictou harbour; and it has already been ascertained by experience that our present railway cost, before it was ever anything like complete, £11,043 per mile; I undertake to say at the present day, that the railways we are operating have cost £12,000 rather than £11,000; while at the same time, the road that we are constructing to Pictou is superior in every respect to the lines we have now in operation, by at least 10 per cent.

Now, if you estimate the cost of the Pictou railway at the rate that our present road cost us, that is £11,043, you get the sum of \$2,219,643, or considerably more than under Mr. F's contract. Anxiety has been felt by some gentlemen that there will not now be that thorough strict supervision over the line that would have existed had Mr. Fleming continued Chief Engineer, and not have assumed the position of Contractor. I am happy to be able to state to the House that the Inspectors of Masonry, who were suspended during the winter months are being reinstated as quickly as the work demands it. There was an individual in whom I had a personal interest, he was appointed through my influence; he was dismissed for a time, but he is now to reassume his duties, and with others, exercise that strict supervision over the line that is requisite.

I think I have said enough on this question. I flatter myself that I have presented calculations to prove that the arrangement made by the Government is eminently adapted to promote the public interests. In concluding my remarks I may be permitted to add, that as a member of the Legislature, and as one interested in the prosperity of this country, I have felt no little anxiety to see this great public work successfully completed. Whatever may have been my sentiments in the past respecting the construction of railways under certain conditions, now that they have become the policy of the country, it is my duty—not only as a representative of the people's interests, but as officer of a department charged with the management of these public works,—to do all that lies in my power to push them forward in such a manner as will promote the progress and prosperity of Nova Scotia. The interest that I take in this department is, I know, fully equalled by that felt by the Government and the late Chief Engineer. I believe, as I intimated before, that what makes some gentlemen feel so keenly on this question is the fact that the course pursued by the Government has prevented them keeping up the cry that was raised some time ago that the Pictou railway was going to cost \$3,000,000. And let me say that the Government may be pardoned for keeping the arrangement a secret for a while, under the circumstances. In the first place it was necessary for the preservation of the public interest, while settlements were being made with the contractors. I think I may take some little credit for the secrecy that was observed, and in disappointing the expectations of these patriotic gentlemen who hoped to be able to come to the Legislature with the statement that the Government were running the country recklessly into debt in connection with the construction of the Pictou railway. It was said that an extra session should have been called, but I cannot see any force whatever in that suggestion. Were these public works to be delayed day after day for the purpose of affording gentlemen in this legislature an opportunity of quarrelling over the matter?

The Government, I contend, have acted throughout this transaction in a manner that proves them to be the faithful guardians of the interests of the province. It is something for a government to save £40,000 or £50,000 in the construction of a great public undertaking. I am here to say that I believe that the spirit of the law has been amply met; the failure of the

contractors to perform their work, the facts exhibited by the tenders offered for section No. 7 when offered to public competition a second time, Mr. Laurie's as well as Mr. Fleming's estimates for the line—all these things showed the government the necessity and advisability of pursuing the course they have adopted; and I am positive when the people of this country thoroughly understand the question they will cordially endorse the action that has been taken.

I think I may claim some share of credit for the course that has been pursued in respect to the Pictou Railway by myself and the other Western members who voted in its behalf. I need hardly tell you, we ran a very considerable risk, since we went contrary to the wishes and sentiments of our constituents. We brought to the consideration of the question the best judgment we could, and satisfied ourselves that it was our duty to vote for the construction of this road, as tending to promote the material prosperity of large sections of the province. At the same time we took the precaution to ask the Government to give us the assurance that the rights and interests of the West would not be forgotten. It is true, we did not bind the Government before we gave them our support for the Pictou Railway, but we took measures to secure our own rights; and I am here to-day to express my unqualified approbation of the success that has already met our efforts to bring about the construction of the Windsor and Annapolis Railway. We have entered into a contract of a most favorable character, and thus prepared the way for the securing to our constituents of the West a full equivalent for any concession that has been made to other sections of the country.

Mr. Longley then went on to say that the Government deserved public confidence for the earnest manner in which they had grappled with Railway construction, Education, and other great questions intimately connected with the progress and prosperity of the country. He expressed his deep regret that a gentleman whose public conduct in connection with Education and other matters had been so praiseworthy—he referred to the hon. leader of the Opposition—had pursued a course and adopted a tone, in the discussion of the subject before the House, that was so exceedingly beneath him. He wished to believe that that hon. gentleman had been hounded on to discuss the question by outside influences which every one could well understand. Mr. Longley then concluded by repeating that the arrangement entered into with Mr. Fleming was in consonance with the spirit of the law interfered with the rights of no one, but would affect a large saving in the public expenditure, and bring to a speedy and satisfactory completion a great undertaking which, otherwise, must have been delayed for years.

THURSDAY, March 22.

PETITIONS.

Mr. BOURINOT presented a petition from Eleanor McDonald, of Arichat, in reference to Crown Lands.

Mr. BLANCHARD presented a petition from Mabon against Confederation.

Mr. DONKIN presented a petition for such an

alteration in the license law as to separate the sale of groceries from that of liquors.

Also, a petition from an aged teacher for a grant of land.

Mr. PARKER presented two petitions on the subject of Education, one from Shubenacadie and the other from Stewiacke.

Mr. COLIN CAMPBELL presented a petition from St. Mary's Bay, for the alteration in the license law above referred to.

Also, a petition from Westport against Confederation.

Also, three other petitions from St. Mary's Bay on the same subject.

Mr. ROSS presented four petitions, signed by 178 persons, against Confederation.

Also, two petitions from Cape North, signed by 125 persons, on the same subject.

TELEGRAPH COMPANY.

Mr. TOBIN presented a petition from 37 merchants of Halifax, asking an act of incorporation to a company proposing to erect a line of telegraph. He said that the first line of telegraph was erected by the government, and afterwards sold to a company which leased the line to the American Telegraph Company. The charge for sending ten words to New York used to be \$1.75, but the charge was now increased to \$2.35. These charges were so onerous that it was proposed to organize a new company to build a new line on the expiration of the existing lease which had four years yet to run. He obtained leave to introduce a bill in accordance with the prayer of the petition.

Mr. BLANCHARD, Hon. ATTORNEY GENERAL, and Mr. JOST strongly urged that this bill be allowed to lie on the table until the Nova Scotia and the American Telegraph Companies could have an opportunity to make representations in connection with the measure.

PETITIONS,

Hon. ATTY. GEN. presented a petition from the Right Rev. Bishop McKinnon, praying an amendment of his act of incorporation, and introduced a bill in accordance with the prayer.

Mr. CHURCHILL presented a petition from Sons of Temperance and good Templars, praying an alteration in the license law.

Mr. D. FRASER presented a petition from the Middle River Union Gold Company.

Mr. RAY presented a petition from Bear River, asking an equitable taxation for support of schools.

Mr. ANNAND presented a petition from Musquodoboit, praying the protection of inland fisheries.

Mr. KAULBACK presented a petition for the establishment of a money order office at Chester.

Hon. PROV. SECY. laid on the table correspondence relating to commercial codes of signals

SPEECH OF MR. BLANCHARD.

Mr. BLANCHARD replied as follows to the Railway Commissioner:—At one time in this debate I thought it would be unnecessary for me to trouble the House with any observations on the subject, after the exhaustive speeches of the leader of the opposition and the member for North Colchester; but, since [the Chief Commissioner of Railways has spoken at length on the question, I feel it

my duty, as a representative of the people, to make a few remarks. The Railway Commissioner has displayed a vast amount of virtuous indignation because the tone of the debate has not come up to his ideas of what it should be. He considers that there was a want of courtesy in the remarks of the leader of the opposition in reference to the Government. One would have thought that the hon gentleman himself had always been a meek and gentle, a pure and spotless lamb—that he had never said a word to disparage the conduct of any Government. One would have thought that we had never had an opposition in this country that indulged in invective of the most violent character. Who is there that remembers the sessions of 1863, '61, '62 and '63, and would complain of the present tone of debate? I am almost ashamed to recall the features of those fierce political contests. Yet we find gentlemen who were then in the habit of hurling charges of robbery, pillage, illegality, aye, even murder, against others now coming forward and complaining of the style of discussion that is used. We must not now charge the Government with having acted contrary to law, because, forsooth, it may hurt their feelings! The hon gentleman, in the same breath, commenced to impute all kinds of motives to the leader of the opposition; he had some mischief in view—he had ulterior objects, and was looking to a general election. Let me ask if the Railway Commissioner had never any ulterior views in the course of his public career? Was he always a disinterested patriot? When the question of retrenchment was before the Legislature, had he an eye to the general election? Of course so pure a man as he would not think of such a thing. But some gentleman may remember the forcible language that was used on this question, by the same gentleman, on the floors of this House. Who forgets the time when the hon gentleman had reaped the fruits of his warm advocacy of retrenchment and had been returned to the Legislature? When his leaders had abandoned the question, and when it had answered their purposes, quietly laid it aside, he was still found inclined to speak in favor of it in his way. We remember him objecting to the expense that he considered, would be entailed by a post office report presented to the Legislature in the session of 1864. There was then an election approaching in Annapolis, but of course the hon gentleman had no eye to that in the renewal of the cry of retrenchment. I am now going to give the hon member a quotation from his own speech on retrenchment in 1862. He was found at that time one of the most ardent supporters of the scheme—of cutting down the salaries of public officers. He said, as the present leader of the Government said, that such a course was necessary in the financial condition of the country, but he did not deny that there were some salaries that he would reinstate when the public finances warranted it. There was, however, one salary to which I wish to make special reference. On the 22nd March, 1862, after some general remarks on the subject of retrenchment, he said:—“It struck him in the session of 1860 when the

railway retrenchment scheme was brought up, that it was most unjustifiable that a man who sought to grind the subordinate officials should have been unwilling to take a single penny off his own immense salary. But now it was said by the Provincial Secretary that the chairman had actually offered with remarkable magnanimity to have his salary reduced by £100. He was persuaded that that officer should not receive more than £250 a year, and it would be justice to the people to reduce it to that amount."

This gentleman who was quite willing to restore the salaries of certain public officers to their original amounts, would give \$1,000, and \$1,000 only, to the Railway Commissioner. I shall not institute any comparisons between the gentleman who held the office then and the one who holds it now. I think, however, that if the Railway Commissioner in 1862 was only worth \$1,000, he should not now receive \$2400. Men who preach should practice what they preach. Of course the hon member had no ulterior objects then. No eye to a general election. He is too pure a patriot surely, to take \$2400 for doing \$1,000 worth of work.

We have had quite a long speech from the hon gentleman on the subject of the Pictou Railway. Standing as he does at the head of the Railway Department, the House has a right to expect from him the clearest and fullest explanation, and that he should be entirely familiar with the whole subject. It was somewhat amusing, however, to see a gentleman occupying his position making inaccurate statements on railway matters, and at the very outset corrected by the Provincial Secretary as to the length of the Pictou line. He was actually a distance of a mile and a quarter out of the way, and at first much disposed to insist that he was right. If he did not know a simple fact like this, he was hardly in a position to ask the House to put credence in the other calculations he brought forward, and some of these very calculations, too, predicated on the strange error he had already made. He also said the government ought to be *pardoned* for breaking the law; therefore admitting that they had broken it. There was a time not very long ago when we heard a good deal about breaking the law. Gentlemen were declared disqualified from occupying seats on these benches, were called usurpers, sitting in defiance of all laws, and at one time told they carried their disgrace branded on their foreheads because they happened to hold the office of commissioners of sewers, coroner, or some petty office which they had entirely forgotten. Who forgets the solemn appeals that were made by the late leader of the government upon the fearful responsibility these gentlemen incurred in breaking the law? When a word was said about "the spirit of the law," what a cry of indignation and scorn was raised. The strict letter of the law must be obeyed and no excuse could or would be received. But let me trouble the House with a few extracts from the speech of the Provincial Secretary in 1861, *apropos* of breaking the letter, not spirit of the law. Hardly a line of his remarks but has the word *law*.

"The *law* commences thus—'The title of the institution shall be the Provincial Hospital for the Insane.' It does not say that it is to be made a pauper asylum, where you are to grind down the maintenance to the lowest shilling."

"The *law* continues—'The management of the Hospital shall be vested in a Board, &c.'"

What next, Sir? "The Governor in Council shall appoint a Medical Superintendent, &c." in another place—"The *law* then goes on to say." Again—"This is the *law* of the land."

Again—"The present Government have not only done away with the Commissioners, but have even violated the *law* in reference to the steward and matron."

O! dear! what a wicked Government to have violated the law with respect to the steward, and especially with the matron!

Again—"Why did the Government violate the *law*?"

Again—"The steward and matron, secretary and nine commissioners, have all been swept away."

Not only was the law evaded in all these things, but, most terrible to say, it was violated in regard to the steward and matron! But, Sir, if it was so bad to disregard the law in respect to the Commissioners of the Lunatic Asylum, if it was such a fearful crime to interfere with the steward, and especially with the *matron* of that institution, how much worse is it to have violated it in handing over the railway to Pictou without putting it up to tender and contract, in accordance with the express letter, and, as I contend, the clear spirit and intention of the law? I do not intend to go into any history of the past course of certain gentlemen, but who does not remember the declamation that was used in connection with the payment to Donald Cameron of a few thousand dollars. Then gentlemen were charged with robbery and plunder,—with dipping their arms to the elbows into the public treasury. And the charges were rung, "*usque ad nauseam*," on breaches of the law, which, in comparison with this, were the merest trifles.

I am sure that there is scarcely a gentleman in this House who has not seen, in travelling over this country, the cabalistic letters R. R. R. on every fence and available spot. These letters are said to signify "Railway's Ready Relief."—Now, there was a time when we had three equally significant R's, denoting "Ruin, Railways, Ruin!"—the latter being the natural sequence of the other two. It appears, however, that the mind of the hon gentleman has been altered, and the Ruin obliterated,—and Railways have become a blessing, instead of ruin, to Nova Scotia. The hon. member has been converted on this point,—and we must assume that he has been converted on the other point, and that Ruin has also been found a comfort. Strange conversions are sometimes witnessed in this House.

The hon. Railway Commissioner referred to section No. 7 throughout his speech, and read certain papers in connection therewith. From the display made by him in bringing forward these documents, and from the earnest manner in which the Provincial Secretary and Attorney

General sprang to their feet when the question of order was raised, I thought at first we were to have some extraordinary developments; but when they are read, what do they amount to?—They are simply read and sung to the praises and glory of Mr. Fleming and the Railway Commissioner—what they did, and how they did it—that in three or four days, they took a contract out of a man's hand, and commenced it by day's labor. But I wish to know why is it that the Government and its friends refer especially to the contract on section No. 7? Why were not No. 1, or No. 10, or No. 8, or any other, taken as an illustration? If I am rightly informed, section No. 7 is the great difficulty on this railroad. No. 1 is nearly finished; why was it not selected? I will tell you: No. 7 is taken because it does not give a fair view of the whole circumstances connected with the construction of the line. The hon. gentleman said that the lowest of the second tenders received exceeded the first by \$18,000, and then multiplied that amount by the number of sections, namely, 10. But why did he not make the comparisons with No. 1? If he had, there would have been no \$18,000, in excess. We had second tenders, indeed! If I mistake not, the period for sending in the second tenders was very short. There were no inducements offered to contractors of other countries; and who was asked to contract for them? Why the ten ruined contractors? As might have been expected, they all combined to put up the prices. That is the reason for the \$18,000 in excess of the original contract on section No. 7. What guide is a contract made under such circumstances? Therefore, at one glance the illusion sought to be created in connection with section No. 7 vanishes like mist beneath the sun.

The hon. gentleman went on to eulogize Mr. Fleming in the highest terms. What I know of him is to his credit, but if his reputation is to depend upon such facts as the hon. member gave, it would not amount to much. He says that Mr. Fleming bored a few holes in the earth to see if he could erect heavy mason's work thereon. If that is the way Mr. Fleming's skill is to be illustrated, he will have reason to wish to be saved from his friends. He actually took the precaution to bore holes to ascertain the nature of the foundation. What a wise man is Mr. Fleming, and what a panegyrist is the Railway Commissioner! The hon. member says that Mr. Fleming leaves nothing to chance. Yes, I am quite sure he left nothing to chance when he took this contract for \$2,216,500, and I give him credit for it; he was too wise to do so, unless he could make a handsome thing out of it.

If we are, however, to believe the hon. member for Annapolis, Mr. Fleming is to be ruined, because he has proved to his own satisfaction that the railway must cost fully \$2,500,000. If the hon. member's estimate be correct, then Mr. Fleming does leave much to chance. Are we to believe Mr. Fleming or the Railway Commissioner? Is the country to be ruined by a man who has not given any guarantee for the due performance of the work? The government have allowed contractors to escape who had the best security pos-

sible, and entered into an arrangement with one who, according to the Railway Commissioner, is to lose several hundreds of thousands of dollars by the operation, and yet has not given any adequate security. I fear, however, that Mr. Fleming knows very well what he is doing—that he has got such a margin as will leave him large profit at the expense of the country.

We are informed that Mr. Fleming said that this road was to cost \$2,216,500, but if the government would permit, he could make such changes as would bring the cost within two millions. What was he to do? Alter the grades, vatures, alignments. I ask the Provincial Secretary to lay his hand upon a title of evidence that clearly defines what these grades, curvatures &c., would be under Mr. Fleming's contract.

Hon. PROV. SEC.—They are under your hand, in the journals of 1865.

Mr. BLANCHARD—I have looked at the journals of 1865, and find a certain number of gradients put down at a certain size, but where they are, how they are to be placed, how they are to be applied to the road, we are left in entire darkness. Who is to check Mr. Fleming?

Hon. PROVINCIAL SECRETARY—They are all fully detailed by documents in the office.

Mr. BLANCHARD—Then what is the nature of these grades?

Hon. PROV. SEC.—They are the grades and curves not provided for in the estimate of \$2,216,500, but in the reduced estimate to which the road was subject before any contract was given.

Mr. BLANCHARD—I see that the contract does not refer to these papers. Why is this? Here is a contract without the specification under which the contractor is to perform the work being appended. Why are not the details made clear and distinct? If ever there was a contract loosely drawn, it is the present. Not only is this contract we have now subject to the reductions in the grades and curvatures below those originally estimated, but it is liable to other conditions. We read under date of October 30th, 1865, the following:

"10. Substitute tunnels for culverts and bridges whatever it can be done to advantage, as in two cases on section 4.

"11. Where I found it impossible to complete the masonry of structures in time for opening the railway by the dates required, I would erect timber staging of ample strength to carry the rail track over streams, and afterwards complete the masonry and embankments underneath and around the temporary staging.

"12. Adopt such other measures as from time to time appeared expedient to accomplish the main objects in view."

Under date of Jan. 3rd we find Mr. Fleming stating:

"Having learned that the Government intends entering into a contract with me for the execution of the works of construction on the railway between Truro and Pictou, in accordance with the terms of my letters of 30th October and the 27th December last."

Here is Mr. Fleming referring to a letter that gives him such great scope as no other man ever

had before. I will not refer to what the leader of the opposition stated, but I cannot help alluding to the extraordinary fact that this contract, on the one hand, requires him to perform the work according to specification given to the contractors, and, on the other, according to the letter in question. According to the latter, Mr. Fleming has the power of making any alterations in the construction of the road that may be deemed necessary, while, according to the specifications, he is to be paid for the work by actual measurement. We have, on the one hand, a lump sum, and on the other a contract by the yard. Therefore it will be seen that the whole matter is left in a condition of uncertainty that is exceedingly hazardous as far as the public interests are concerned, and exceedingly convenient for Mr. Fleming.

When was this contract given to Mr. Fleming? Nine months after the contractors had begun their work. Who does not know that as much stone as was necessary to construct the masonry was brought a distance of from eight to fourteen miles. The contractors had opened quarries—had prepared roads, and in this way a great deal had been done for Mr. Fleming; the quarries are opened the roads made; and yet, says the Railway Commissioner, the present contractor is left in no better position than those who went before him. Then there are the engines and cars already referred to. Take this, with his power to alter the road, and various other consid. rations. It strikes me that all these things entered into Mr. Fleming's calculations.

The hon. member to day went into a great number of calculations into which I have no wish to follow him, though I could in some cases show that he has made large errors. He forgets talking about the cost of New York Railways that they are double tracks. Then who does not know that in that State there are a great number of expensive stations, and a vast quantity of expensive rolling stock, ten times more than it is necessary to put on our railways. Therefore the hon. gentleman is not justified in making any comparisons between New York and this Province. In the estimated cost of the Pictou Railway made by Mr. Laurie, namely £12,000 a mile, the rolling stock is included, and I believe it is the same in the State of New York. How then can New York railways with these double tracks, expensive and numerous stations, and enormous rolling stock, be adopted as any guide for us.

What guarantee have we that Mr. Fleming will complete the contract according to the original estimate? I will tell you what it is: Simply the integrity of Mr. Fleming. No one has a higher opinion of this gentleman than myself, but his reputation is the only security that the House has that he will make the road according to his contract. But I forgot to mention that we were told by the Railway Commissioner that an inspector who was dismissed from the Railway—a friend of his own, and therefore perfectly immaculate—is to be reinstated in his position. This pure man from Annapolis will be on the road in a few days, and then Mr. Fleming must mind what he is doing.

Mr. LONGLEY—He happens to come from the East.

Mr. BLANCHARD—I thought *Paradise* was the only place that could furnish so immaculate an individual. But we would like very much to know who his guardian of the public interests may be. The wise men, we know, came from the East, and so it is it appears in the present instance. He is to watch over the people's interests, and therefore we must be quite content. There is no fear that Mr. Fleming can cheat the Province while this wise inspector of masonry from the East is to the fore.

The Railway Commissioner also referred to the charge of secrecy in this matter that was made against the government. I cannot see (as he would have us think) that we have anything to thank the government for because they gave us full explanations on the subject at a time when they could not help themselves. They knew that if they delayed the explanations, questions on the subject would be put to them. But the hon. member took great credit to himself for having kept this matter a secret, in order to disappoint the enemies of the Government, who had been declaring that the road would cost \$2,000,000. When did any gentleman in this House ever say such a thing? Or even so, are we who came forward to assistance, to be sneered at by them in this style? Am I to be responsible because a newspaper may make statements of this kind? Members in this House can only be called to account for what they may say on these floors. It is not for this hon. gentleman to make rash charges against those who have always proved themselves warm friends of the undertaking. We gave to the government our warm support when the question came up in 1864. Can the hon. member say as much for himself when the Pictou railway was before the House some years ago? When his own friends were not in power, we heard enough of "rum and railways;" but now he has changed his principles, and takes great credit to himself for his course. I cannot forget when he opposed the construction of the road on the ground that he had no confidence in the Government. Had we any confidence in the Government when we supported the extension to Pictou? No, but we believed that it was our duty to sink political prejudices, and look simply to the interests of the province at large.

The hon. member says that this matter was legitimately the province of the government. There is not a member of the government or any man who has enquired into this question but knows that the law was set at naught and that the only justification that can be made is the necessity of the case.

Then the hon. member lauded his self denial, and went on to refer to the hon. leader of the opposition. In one minute the hon. gentleman considers it very wrong to impute motives to any one, but in the very next breath he declares that the leader of the opposition has been hounded on to this discussion by our side influences. That was hardly the way for this pure-minded gentleman to talk! At one moment he talks of his great admiration for the hon. leader's talents, his integrity, and his

patriotism—and spoke as if he almost worshipped him, and in the next he is “hounded on” by outside influences. I have heard persons speak of Mrs. So and So; she is a very handsome and fine lady, but then (shrugging their shoulders) you know people do talk about her! That is about the style in which the hon. gentleman referred to the hon. member for Colchester. I could forgive a man who said out boldly and defiantly, “you are a scoundrel;” but one who first praises you with praise, and then strikes you an unfair blow, acts in a very contemptible manner to say the least.

Last night the hon. gentleman regretted that he had not been able to give any time to the consideration of this question. He said that in the integrity of his heart he believed—that this was a good bargain. I believe in all the integrity of my heart that the Railway Commissioner did not give five minutes consideration to the subject, but has depended entirely on others for the information he has furnished to the House.—If it had been otherwise, in all probability he would never have come forward and attempted to make the House believe such calculations and statements as he has given them in course of his speech. It would have been much more becoming on his part if he had looked closely into this question, and not ignored entirely the correspondence on the table, as he has done.

I have no desire to weary the House, and shall therefore only add that the hon. Commissioner of Railways, who ought to have taken the lead in all these negotiations,—who ought to have been in a position to advise the Government,—is never once referred to in all the correspondence on the subject, and does not appear even to have been consulted, except when he *once*, with a member of the Government, went over a part of the road. Verily, such a commissioner is worth \$1000 per annum!

FRIDAY, March 23, 1866.

The House met at 3 o'clock.

PETITIONS, ETC.

Mr. HATFIELD presented a petition from Tuskot for additional mail accommodation.

Mr. COLIN CAMPBELL presented a petition for the establishment of a Post Office instead of a Way Office at Freeport, Long Island.

Mr. KAULBACK presented a petition from Chelsea for a grant on Old Chelsea Road.

Also a petition from New Ross for additional mail accommodation.

Mr. HEFFERNAN presented a petition from David A. McDonald and 118 others, for a special grant to repair the road from Sherbrooke to Goldenville.

Also a petition from James W. Carr, and others, for aid to repair the road from John McKay's eastern line to Carey's Bridge in Guysborough County.

Mr. MOORE presented a petition for a survey of a railway line.

Mr. LOCKE said that some days ago he presented a petition from inhabitants of Digby County, on the subject of a road to connect the counties of Shelburne and Digby. He now presented one from Shelburne County on that subject.

Mr. PRYOR reported a number of bills from the Committee on Private Bills.

Mr. HEBB presented a petition in favor of the present arrangement of the Chester Court of Sessions.

Mr. ARCHIBALD introduced a bill to amend Chap. 137 of the Revised Statutes, in reference to Insolvent Debtors. He said this bill was intended to meet the case of parties who, having property, chose to go to jail and remain there in defiance of the creditors.

Hon. PROV. SEC. moved that Mr. S. Campbell be added to the Militia Committee. Passed.

Hon. PROV. SEC. laid on the table the return of St. Mary's College.

THE PICTOU RAILWAY.

The adjourned debate was resumed.

Mr. KILLAM said:—I supposed, Mr. Speaker, that the question of the Pictou Railway had been brought to an end last session, but I now find that we are not likely to arrive at the end of the matter for some time to come. The question for discussion now is in reference to the management of this great work which the government have undertaken. It would appear from the documents laid on the table that the government at the outset adopted a new policy in connection with this railway: instead of contracting for a lump sum they agreed to pay by the yard. The contractors having undertaken the work, proceeded with it until the government saw fit, without, as I think, sufficient reason, to take it out of their hands. The principal reason given for this course is that they feared it could not be completed within the proper time. One contractor having notified the government that he could not proceed at the existing rates agreed for, the work was taken off his hands, and carried on under the Chief Engineer,—matters thus went on until the end of last season, when they concluded to change the whole of the work, and to hand it over to Mr. Fleming, for a lump sum. It will be remembered that the contractors agreed with the government at certain prices, and that they gave satisfactory security,—it is not asserted that they were incompetent to perform the work, but the only ground alleged in justification was the delay which arose. It is well known that all such works have taken a longer time than has been estimated at first. The administration justify their conduct under the advice of an Engineer in their employ I will read an extract from Mr. McNab's report, and will ask whether this justification is sufficient. I think it pretty evident from this document that Mr. McNab gave them very good advice,—that he gave them to understand it would be a better arrangement if the work could be well executed for the sum offered by Mr. Fleming, but at the same time he gave the government to understand it was hardly likely that Mr. Fleming could do it at that rate, for he, Mr. McNab, exceeded Mr. Fleming's calculation by \$169,000. The government might well have drawn the conclusion from that fact, that were they were going to bargain with a man who undertook a work at less than his own, and less than the Engineer's estimate there was some risk attending the transaction Mr. McNab says: “In order that the above assertion may be substantiated by facts I beg to submit the following estimate, which

will be found to exceed the estimate of Mr. Fleming by the sum of \$69,232, and his offer by \$169,232 the estimate having been arrived at only after the closest calculation, and by allowing prices no higher than some of those upon which contracts have been let and forfeited."

It will be in the recollection of members that the supporters of the government who have spoken on this subject have not denied that the contractors were fully competent to perform what they undertook or that they had not given adequate security, but it seems to be admitted that the government were so anxious to get on rapidly that they took the work out of their hands. The main ground of objection is that the government handed over the contract to Mr. Fleming without any guarantee whatever—that they have not done what the law in all cases requires, viz, that persons undertaking such liabilities should give some security of their ability to discharge them. If Mr. Fleming's object was to secure the control of the appropriation of two millions of money he could do so without incurring any risk. In adopting this course the government made themselves liable to the censure of the House and did what no man in the management of his private business would do. Another most remarkable circumstance is that Mr. Fleming is to pay the overseers of the work.

HON. PROV. SECRETARY, I wish to explain that these overseers are employed by the government, and paid by the government, but the amount which they are to receive is to be deducted from the sum due Mr. Fleming.

Mr. KILLAM continued: That may alter the case, but it would seem that that gentleman controls the whole work and all the officers engaged on it. So far there have been measurements; but it would appear to be unnecessary hereafter. The only safeguard which the government have is the ten per cent., which they retain, but even this is paid over when a certain portion of the work is done. Experience has shown us that in the management of these works the payments have to be made as fast as the work proceeds, and sometimes faster, to enable the contractors to get on. It seems to be admitted on all sides that the contractors, all but No. 7, could have completed the line if they had been allowed,—it was a mere question of time; but the government determined to change their management entirely. I think that this was not carrying out the intention of the Legislature in any respect, because the law expressly points out that security shall be required from the contractors. In connection with this subject it was said that I stated at a public meeting at Yarmouth that the road would cost three millions,—that may have been speaking rather by wholesale, but I am not yet quite sure that the cost will not reach that sum. The Railway Commissioner added \$250,000 in one of his calculations last evening, and another addition or two would bring it up to that estimate. I notice, also, that no provision has been made for wharves at Fisher's Grant. The ships arriving here from Montreal must have some place to discharge the thousands of tons of cargo, and this will be an important item in the cost, amounting, perhaps, to \$60,000. Then, I suppose, a wharf will be wanted at the other side for the accommodation of the town of Pictou, and I think this

would be a far more reasonable outlay than the expenditure of money upon a wharf at Parrsboro', having no connection whatever with the Railway. I entertained the hope last year that this road having become a fixed matter of fact, the earnings of the line would give the prospect of relief from a portion of the interest which we have been paying. During the summer I was glad (although some gentlemen may be under the impression that I would wish to make the road seem as costly as possible, which is not the case), to see that those earnings exhibited a large increase, and was led to believe that they would add a large surplus to our general revenue, but the Report of the Commissioner shows us that such is not the case—the nett earnings have been exceedingly small, and the report goes on to say that the railway will require this thing this season, another thing the next,—that the wood-work is rotting—the bridges are going out of repair, giving us no reason to expect any surplus for some time to come. If the only guarantee we have for the quality of the new road is that it shall be as good as the existing line, nobody can tell when the earnings will give us a surplus, and we have chosen a very poor sample. In the contract for the extension to New Brunswick instead of providing that the work shall be equal to our present line they should have stipulated that it should be equal to the New Brunswick road. Every one must say, that that road is very superior to any part of ours, and yet our new road is to be very much inferior to that. I think that on these matters the Government have not bestowed the necessary care and attention. The contract for the Annapolis line enables the company, upon getting so many thousands of pounds, to build just whatever style of road they may choose, and the land through which it is to run is purchased for them. Those gentlemen are undertaking the speculation merely for the sake of the profit, that they may make in its construction, and I think the sum they are to receive is far too large unless a more stringent agreement had been made. There should be no road built that would not be at any rate equal to the existing lines; but the Annapolis road may be built without sleepers. I do not think that when this extension was talked of it was anticipated that the road would be a mere tramway without any stipulation as to grades &c., but we all imagined it would be serviceable and efficient. The argument used in reply to this is, that the road will belong to the company and that its quality is no business of ours,—they are going to use it, and when we have done paying our money it is to be theirs entirely, but I consider this system entirely wrong. The act incorporating the company goes on to say that when ten per cent. on £370,000 has been paid up they may go into operation and in six months can clear £16,200 sterling from our treasury, and the faster they go on with the construction the more they can clear, so that no doubt they will make a bargain immediately with some other company to do the work. They have a large subsidy from the Province, and they may transfer their liability to any one who will buy their stock in the market. In reference to the Pictou line I think the government in endeavoring to press the work to completion in so short a time have

exhibited a want of care. It would seem that their object ever since coming into power has been to do all the work that is to be done, leaving nothing for their successors. Like some speculators they were determined to trade all the time, whether they made anything or not. This I think is not the way to do the public business—the government are placed in office for a different purpose—it is their duty to be guarded in every movement they made, and in this matter they should not have trusted merely in Mr. Fleming's ability, but should have taken the precaution to require ample security, not leaving the bargain a one-sided affair. I believe that even the strongest supporters of the administration feel that in relation to this Pictou road the government have not done as they should, and I am quite satisfied that many who will vote against the resolution are of that opinion. If the resolution pass it will be a caution to every government hereafter to manage the public works with care. I have failed to see any good reason for the haste evinced in this instance, or the wisdom of constructing three lines at once which will run in opposition to each other. Mr. Fleming told them that there would be great difficulty in getting labour, and yet they hurried on the work at such a rate that the cost will be greatly increased. The country is paying in connection with these works an enormous sum for interest, and in looking over the report of the delegates to England I can see no reason to expect that money will be very readily obtained. The excitement consequent upon the threatened invasion will by no means strengthen our credit, but will make capitalists cautious in investing money in provincial bonds, and our proximity to the neighboring republic and our distance from the mother country make us continually liable to be disturbed by lawless men. The contractors, however, will go on, and in six months we have to provide the large sum which I have mentioned, whatever the state of the public credit may be. I consider that no great necessity existed for a course which is attended by such results, and the passage of the resolution will be a warning to governments hereafter.

SPEECH OF HON. ATTORNEY GENERAL.

HON. ATTORNEY GENERAL said: I regret that I was unable to address the House at an earlier day. In consequence of illness I was not present when the hon. leader of the Opposition introduced the resolution and addressed the House in its support. It was not until I had an opportunity of reading that hon. gentleman's speech in the newspapers that I was able to follow his arguments. I was obliged to leave the House yesterday, and even now I feel physically unable to do justice to a question of such importance. The House will know, too, that my duties have of late been of a most onerous character, in consequence of my having been called upon to perform the work of another public Department. The House will therefore understand the difficulties that have met me in attempting to deal with the question raised by the hon. and learned leader of the Opposition.

When this subject was first brought to the notice of the House, it was no doubt calculated to create in the minds of some gentlemen a little surprise. We were, however, not un-

aware of the fact that since the first estimate was brought here for the building of the Pictou Railway, we had been told, both in the Legislature and out of it, that the sum of \$2,216,500 was far too low, and that this public work was not over-estimated at \$3,000,000. We have had calculations presented to the House in connection with the revenue, that the road was to cost, if not \$3,000,000, at all events something very like it. During the debates that took place in respect to the Inter-colonial railway and the road to Annapolis, calculations were made to show that the line in question would cost a good deal over two millions of dollars. Therefore, taking not only the estimates of the Government, but those made in the House, no one could say that two and a quarter millions for the building of the road was an extravagant sum. I believe if the Government had not made the arrangement, and that if any one person were now asked to undertake the work, and would tender for it, and estimate at two and a quarter millions, the House would at once accept it as reasonable. Such then are the impressions that have been entertained in and out of the House as to the probable cost of the road.

I regret that I was not present to hear the observations of the hon. leader of the opposition, because I feel that I am placed at considerable disadvantage in attempting to reply to them. No perusal of a speech can give an idea of the style and vigour with which a gentleman may treat a subject. I have, however, been debarred from the privilege of witnessing the exhibition of honest indignation which the countenance of the hon. gentleman, no doubt displayed in addressing the house against the course pursued by the government. I would like much to have seen the hon. gentleman under the influences of patriotic impulses—animated by feelings of the most disinterested character—mindful solely of the interests of his country. That would have been an exhibition that would have afforded me an amount of gratification that I can hardly overestimate. When the hon. gentleman especially boiled over with indignation at what he considered a flagrant violation of law by the government, it would have been most gratifying to have been present and watched his emotions. We are told that any man can manage a bad wife except the person who has her. In the enthusiasm of youth one may imagine how much better, if he had the chance, he could perform a thing than another he sees doing it. Such a feeling is very natural; it is the prompting of ambition rising beyond one's discretion and judgment. I have no doubt that the hon. gentleman and his friends may honestly believe that had they been in the place of the government they would have acted better for the interests of the Province—that they would have pursued a course very different from that of the government.

We have now been in session for some weeks. After the papers connected with this question were brought down, and the subject explained by the government, he asked when we would be prepared to discuss it. The answer was: At any time you think proper to-morrow if you wish it. No, replied the hon. member, that is not long enough off, I must have time to consider the question. It was so.

cordingly postponed to suit the hon. member. The subject occupied the hon. gentleman's attention for some weeks, and when he was fully prepared he brought forward the resolution now before the house. He had an opportunity of looking into all the documents connected with the question and of having some dress rehearsals before presenting himself to the House. Having worked himself up to the patriotic pitch required to produce an impression upon his hearers, he brought forward his resolution and made his speech. Now let me here say that the hon gentleman belongs to a profession where certain courtesies are invariably observed; it is only necessary to mention the fact in the Supreme Court that a certain legal gentleman is prevented from appearing in consequence of illness on the argument of a cause, in order to procure a necessary delay. If the case is brought up in his absence, and another professional gentleman on the opposite side asks that if it be brought on, would not the Judges promptly refuse the request as uncourteous and unprofessional. I ask the hon gentleman also to turn back to the three or four years that preceded the advent of the present government to power. When the two parties in the Legislature were nearly divided, how was the minority treated by the hon gentleman himself? They were not allowed to name a committee by ballot; they were not permitted to strike a committee on any question, but the names must be given; it must be such a committee and no other. During that time we had to submit; but when the hon gentleman in 1864 returned to the house with only 12 followers at his back, how was he treated? We divided the committees whenever it was asked of us. From that day to this we consulted in every respect the convenience of gentlemen opposite on every question that has been brought forward. We never asked the hon gentleman to argue a question when he said that one of his supporters was absent.— But I need not go far back for a case in point. A certain Thursday was named at the instance of the hon gentleman himself, when this question was to be brought up; but the day previous, the hon member for Shelburne rose and stated that a certain gentleman, then absent, was expected to appear in a few days, and the Opposition consequently wished delay. No objection was raised, but the postponement was granted because the hon member for Yarmouth was not in his place. Yet in the face of all this, the hon leader of the Opposition refused a similar courtesy when it was asked of him. I do not suppose that the hon gentleman thought that my absence would affect his speech, but I do say that, after the harmonious manner in which we have got along for the last two years, he should at once have consented to the very reasonable request for delay that was made to him.

The hon gentleman charges the government with having violated the law. We have all heard of a certain respectable gentleman re-proving sin. The hon gentleman puts me in mind of a case that occurred in the country some years ago. An individual had taken a little drop too much, and was carried into a friend's house. He received from that friend a very hearty lecture on the evils of intemperance, but it so happened that the lecturer himself was well known as being far more prone

to indulgence than the individual he was re-proving. After listening to him patiently, the person in question said in most pathetic tones: "That from you Harry!" Now I say to this hon. gentleman opposite, "That from you Harry!" Suppose we have violated the law, which I deny, was it never violated by these gentlemen who now complain so loudly? I do not admit that the law has been violated. I hope to be able to show that all the guards and checks contemplated by the law, up to the point of entering into the contract with Mr. Fleming, were observed. I need hardly tell professional gentlemen that there is a law which over-rides all laws, and that is, the law arising from the necessities of the case. A man cannot save his life except by taking the life of another, and the law justifies the act. A traveller finds a bridge down, and is forced to find his way through the private property of another. The necessity of the case is to be judged by the persons who have the necessity and responsibility thrown upon them. I hold that a government would be acting a miserable and contemptible part, if it evaded taking upon it a certain amount of responsibility when the public interests demanded such a course.

When a man makes a charge against another, it is very necessary to know his character. When you find a man who has been convicted a hundred times of a certain crime, making charges against another, you cannot put much faith in his accusations. Now what has been the conduct of the hon. gentlemen in times past? I need hardly bring to the notice of the House that he, as Attorney General of the Province, managed the whole Railway affairs of Nova Scotia for years in total violation of law, and we are accused of violating the law in an important public emergency, when we had to decide for good or for evil. We brought the matter before the House at the very first opportunity that offered. The hon. gentleman and his friends, on the other hand, passed by the Legislature for two sessions, and were only forced then to bring in a law, indemnifying the officers under them for the illegality of his petition. Then again these gentlemen must act in total disregard of law in respect to the Lunatic Asylum. They had no public necessity to justify the violation of law in the case of this important public institution. Again, what did they do on contract No. 3, on the Windsor Branch? D. Cameron had a contract to build a certain portion of the road for a specific sum. He performed a certain amount of the work, and got his pay for it, but gave up his contract before it was half done. Did the Government of the day let the remainder out by tender and contract? No, they quietly handed to Mr. Cameron all the money at schedule rates, and employed Johnson and Blackie to finish the work, at the public expense. Why did they not ask others to bid for the work? Another case in the Windsor line is this: the law required the Government to build the road by tender and contract; but I can prove by the journals of the house that portions of it were given by agreement without any competition at all, and the public never knew it. Yet with all these facts before the House and country the hon. gentleman charges us with having violated the law.

But we are told that the country's interests

are endangered by the course that has been pursued—that Mr. McNab is a Canadian, and that Mr. Fleming also comes from Canada, and therefore everything that comes from that colony is bad. I did hear a doctrine like that lately preached by certain parties in this country, but I never thought to hear it repeated by the hon. gentleman.

Mr. ARCHIBALD was understood to denounce that he had ever meant to create such an impression.

HON. ATTORNEY GENERAL—The whole tenour of the hon. gentleman's observations was to this effect. He knew Mr. McNab was a stranger in this country, and endeavored by falsifying his figures from beginning to end to cast a stigma upon him. These gentlemen do not wish themselves or any one else to violate law now-a-days. I congratulate them on the change that has come over them. I hope they have reformed, and that if they ever should have the opportunity of violating the law they will never make use of it. At present, however, it would be more becoming in them to be a little more temperate in bringing accusations against others. We know that, a few years ago, there was a gentleman in this country who quite unexpectedly made an application to the government, and asked them for five or six thousand dollars for extras. We know that the money was paid out of the Treasury without the house being asked whether it was right or wrong—and in the face of the fact that the claim had been before the Legislature for two years and had been refused by two committees. Yet the hon. leader of the opposition assumes a tone of virtuous indignation with stains like these resting on his public character.

Now let us see what is the law on this subject; I shall now read from the law passed in 1854 entitled "an act of Provincial Government Railroads":—(The Hon. and learned gentleman here read section 5 of the act). That law requires tenders to be invited for the building in the first place of the road, and also provides for a discretionary power to be exercised by the Commissioners and government in case the tenders might be deemed extravagant. It also provides for the calling for new tenders where the first tender was too high, but no provision is made in the law for cases, where the tenders were accepted, but the contractors failed after a portion of the contract was performed. It does not, nor was it ever intended to, apply to the position in question, but to cases of tenders and contracts before any of the works had been commenced.

Now the house knows, however, that the new tenders were applied for, and came in, in such a shape, as to show that they could not be accepted without serious detriment to the public interests. If the tenders for section No. 7 had been accepted, the result would have been the expenditure of many thousands of pounds more than the Railway will now actually cost the Province. We are told that the government should never have entered into this contract. If we had allowed the line to stop for months, then the people of Pictou and others would have had much reason for saying:—The government are much to blame for not promoting the progress of this public work; they should, when the Contractors failed to perform their engagements, have taken speedy mea-

asures to protect the public interests. The government, I hold, were bound to carry out the public pledge that had been given, that the extension to Pictou would be finished at a specific period. Large Mining enterprises were dependent upon the speedy consummation of this undertaking. The whole interests of this country required that the road should be built at as cheap a rate, and in as short a period of time, as was practicable. We are told that when this proposition was announced to the house, some gentlemen were struck dumb. Possibly some time after this when the road is successfully in operation, and of a most superior character, and the country fully satisfied, and when gentlemen come to review the position they have taken, they may wish they had remained dumb. I believe that if the road is built for \$2,115,500, at the specified time,—of the style and character that is expected—these gentlemen will wish that they had never spoken so antagonistic to the true interests of the country.

Now when you find one of the opponents of a Government speaking well of any course they may have pursued, we may fairly assume that he is speaking honestly and truthfully. After the explanations that were given in this house in respect to the arrangement with Mr. Fleming, we find the *Morning Chronicle* of this city, first fully explaining Mr. Fleming's contract, and then making the following statements in approbation of the arrangement. Under date of Feb. 26th it says:—

"Assuming, then, that everything is honest and straightforward in this transaction, we are rather glad than sorry that the work has fallen into such good hands. It has been evident for some time past under the small contracts, many of which were thrown up, while others were proceeded with at a snail's pace, that it would be a long time indeed before the road to Pictou would be opened for traffic. In Mr. Fleming's hands no doubt the work will be pushed vigorously forward, and the chief concern now will be that the character of the work is fully equal to the original specifications. That is the business of the Government and the country will hold them responsible for all short comings, should any unfortunately arise."

I give this to show that the government, in dealing with this matter, took the very view that is entertained by the gentleman who wrote the article. Such evidence given spontaneously by a gentleman hostile to the administration, and one who is now expected to vote for the resolution, shows the light in which the question was received at the time when the country heard the reason for the course that was pursued, and before it was considered necessary to make an attack on the government.

Some gentlemen would judge the government by anticipation. It will be quite time enough to censure us when the wrong happens that is anticipated. At present there is no reason whatever to suppose that Mr. Fleming is going to slight the work he has contracted to perform according to certain clear specifications. When Mr. Fleming was Chief Engineer, there were supervisors and overseers to see that the work was carried on according to contract. These same men are still there. They hold with respect to Mr. Fleming the same relative positions that they held to the Contractors before. I consider that the government have done what is right, and all they can do now is to carry out the arrangement in

good faith. We are told that the Contract was made too hastily: but a few explanations will set this matter right. It is known to the house that the road had to be finished in May 1867, and the important interests involved required that it should be. The contractors were unable to perform their engagements, and we had two winters and only one summer to complete the road by the time specified. And very many reasons pressed upon us to have the work finished as promised. The prospect of an enlarged intercolonial trade in view of the repeal of the Reciprocity Treaty—the activity exhibited in mining enterprises in Pictou—the statement that Canadian merchants were intending to place a line of steamers between Montreal and Pictou, to touch at Shediac and other places, these and other facts pressed upon the government the necessity of having the road completed at as early a period of time as was possible. We saw that the contractors were unable to keep their engagements, except at the ruin of themselves and sureties. The government had done all they could to assist them in the way of bringing in labour and giving them advances, but to no purpose. Time was passing rapidly, and the prospect of having the line opened in the Spring of 1867 was becoming more and more remote. Mr. Fleming was then called upon to do the work as a Government undertaking; but no sooner was this arrangement known through the country than certain journals raised the cry that the Government were throwing the public money away by the cart-load, and that the line was going to cost three instead of two millions of dollars, under the management of the Government. Mr. Fleming had told us that we must get a telegraph, steam shovels, and other appliances,—that we must go to a large expense we had never contemplated. We had no guarantee that the road would not cost a very large sum of money in excess of the estimate. We felt that this was not the position that the Government should occupy; that the people of the country should have the guarantee that the road should be finished as early as possible, and that its cost should be brought within the smallest limits. We had a debate, some time ago, respecting the extension of the railway to Annapolis; and in what position would the Government have been had they been met by the statement that the Pictou line was going to cost \$3,000,000, and that it was consequently out of the question for the Province to assist in the construction of the former road. Therefore, under all the circumstances, the Government could not, either in justice to themselves or to the people's interests, pursue any other or better course than that they were pursuing.

I will say to the hon. member for Colchester that he and other gentlemen opposite gave this measure their best support when it was before the house two years ago. I recollect however, that we were told that the Opposition could not touch the measure in the Lower House, but wait until it went up to the Legislative Council. I recollect the fate of the resolution moved by the hon. member for Shelburne (Mr. Locke); he had only three or four to vote with him. The hon. member for North Colchester was not more successful with a resolution he moved on the subject.

Therefore I am not so much astonished at the attack made on the government by the hon. member for North Colchester, as I am at the course taken by the hon. leader of the opposition, who went with us in carrying the extension of the railway to Pictou, and we have every reason to believe that he did so from an honest conviction that it was for the interest of the country that the road should be built. Now when we show that we have made an arrangement for the construction of the road that will hasten its construction, and thereby promote the people's interests, he comes forward and attacks us. Now, says the hon. member, I voted with you when the Pictou Railway was under consideration two years ago, but now I shall trip you up; I shall attack you for a violation of law.

I ask the hon. member to contrast the course pursued by the present government with respect to the Pictou Railway, with that of himself and friends when in power. The hon. gentleman trifled with this question until the people of Nova Scotia were heartily disgusted. Pledged as his government was to build the road, they evaded the question whenever it was brought up, session after session. On the other hand, when the present government came into power, the first thing they did was to grapple manfully with the question. Gentlemen opposite, feeling their impotency, voted in favour of the measure; but what happened in the other end of the building. If it had not been for a worthy gentleman in that branch of the Legislature who felt the interests of the country stronger than those of party, the measure, through party action, would have failed, but when it was found that the road could be carried through in spite of their opposition, one gentleman after another then came up to support it. Let the hon. gentlemen go to the county of Pictou and ask to whom it is indebted for the railway.

The hon. gentleman has placed himself in this position with regard to this question—he labours in seven columns of his speech to prove that Mr. Fleming took the contract too high. He thereupon labours to prove that the government gave Mr. Fleming a sum from \$150,000 to \$200,000 more than he should receive. Unless he supposes that the house is unable to deal with his figures, I cannot see how he ever made such glaring errors as appears in his speech. Then the latter part of his remarks is taken up with an attack upon the government because it did not take more security. Suppose Mr. Fleming is to make \$200,000 out of his contract—as was the burden of the hon. gentleman's speech—what necessity is there for security. The hon. member is therefore in a dilemma—he must take one position, or the other—he cannot have both. But, says the hon. member, I will have two strings to my bow—if Mr. Fleming does not get too much, then he gets too little, and consequently should give more security. That certainly is not a particularly consistent position for the hon. gentleman to assume!

I believe that some gentlemen would have been much better pleased if this road had not been built at all. It is not because it is to be constructed at a fair price, that they complain. The real grievance is that it should be put in a sure way of completion. Having themselves

broken their public pledges to build the road, they would like amazingly to see the present Government in a similar position that they might incur the hostility of the people of Pictou. They feel that it is too bad that the men they had always declared hostile to Railway Progress should be actually doing more than they had ever done. They had promised to build a railroad to Pictou, to Victoria Beach, to the borders of New Brunswick, but never carried out their pledge. A year or more ago, two of my colleagues and I were at Annapolis, and one of them stated the fact that the government were about to enter into arrangements for the construction of the Annapolis Railway. How was that statement received? The people were told in distinct terms that the government were lying—were attempting to deceive the electors of Annapolis, where an election was about to come off. However, after the election was over and Mr. Ray returned to support the opposition, did the government hesitate to redeem their public pledges? On the contrary we pressed forward the necessary legislation for the construction of the connection between Windsor and Annapolis. In this as well as all other questions of public importance, they have acted with a strict eye to the interests of the Province at large.

The hon. gentleman reminds me very much of a man who is constantly putting in all sorts of pleas. We have all heard of the individual in the States who borrowed a pot, and when he did not return it, was sued by the owner. His first plea was he never got the pot; his second, (the case was not only for trover but for damage), that it was cracked when he got it; and the third, that it was whole when he returned it. So the hon. member's plea is pretty much the same—the pot was cracked when he got it, and yet was whole when he returned it. The requirement of security in some cases is a good one. I do not admit, however, that, as an inflexible rule, it is a necessary provision. There are instances where a private individual would sooner give a contract without security to a man who was known to understand his business, than to a dozen others with the best security in the world. We are told that the government took off \$50,000 in this way from Mr. Fleming's contract, but does not everybody see that by so doing we saved that amount to the Province. Mr. Fleming was quite ready to give us the best security in the country, but told us at the same time that he would have to add the additional cost, 2½ per cent., to the contract. Therefore it is quite certain that it is not Mr. Fleming, but the Province itself, that has been benefitted in this matter. We have had people, from time to time, go security for the construction of public works; but I would like to know whoever heard a surety being called upon out of his own pocket to finish a large government contract, or prosecution entered upon his bonds. I believe that where it can be shown that a contractor has done his best to carry out a public contract, and has suffered in consequence of having taken it low, the Legislature would not press his sureties under such circumstances. If, on the

other hand, if it was shown that they had received compensation for the surety—that the sum given for a contract was sufficient—that the work had been stopped through mismanagement—then the Legislature would view the matter in a different light, and might demand a return of the premium paid to the security but no more.

I had an opportunity of listening to the hon. member for North Colchester (Mr. McLellan) and after the three or four weeks he had to prepare himself he managed to get off what no doubt he considered a good speech. He went into a variety of subjects which did not appear to me to have any connection with the question at issue. He told us a story about a scow load of deals that had a hole and a plug in the bottom to let out the water when necessary. I dare say the hon. member's story had some point in it though I failed to see it; and all I can say is that whilst he was speaking there was one spile-hole open, and looking at the sentiments that proceeded thence, there must have been a good deal of bilge-water in that scow. The hon. member said that the present attack was not necessary to render the government unpopular that they had lost Lunenburg, Annapolis and Yarmouth, and the confidence of the whole country. The hon. member, however, did not go into the causes that have tended to make the government somewhat unpopular in certain counties. We all know the deplorable state of education in this country for many years—that a leading public man whom gentlemen opposite were accustomed to worship, was in favour of, and tested the opinion of the House, on more than one occasion, on the subject of assessment for the support of schools. Some years ago an Education Bill was introduced by the late government founded on the principle of assessment. Subsequently, however, some clauses were added to it by certain gentlemen, including the hon. mover of this resolution, known as the Separate School Clauses, but the bill was not even with them successful. The Liberal Government went out after that, and remained in opposition until 1859 by which time the separate school clauses had been pretty well ventilated. I need not refer gentlemen, to the causes which brought back these gentlemen into power. They managed by means which it is not now my purpose to state to hold to office for four years, during the whole of which they never attempted to carry out the pledges they had given to establish Education on any sound principle. The hon. member for North Colchester said that the retrenchment resolution of my hon. friend, the Provincial Secretary, threw them out of power; but I think he is by no means right in his conclusions. The present government came into office in 1863, and considering the large majority at their back they felt the responsibility resting on them and undertook to deal with the great interests of the country in this matter. They took the responsibility of bringing forward a measure to improve the educational condition of the Province, and in that course were supported by leading

gentlemen opposite. Friends of the government throughout the country, feeling that the measure was one that bore hard upon their pockets—that they were not getting any direct benefit from its provisions—opposed the measure. Supporters of the opposition, feeling that it was not a government question, but one of both parties—that it should be sustained by men of both parties—gave it their cordial support. In many cases, however, parties who were in favour of the principle of the measure but opposed to us in politics, did not hesitate to encourage it because they saw it was going to create dissatisfaction with the government. In this way the community was excited for political purposes. Politicians who went round could easily work upon the feelings of those individuals who had lost a cow, or a horse, and something else, through the oppressive manner in which the school bill had been worked, in some instances, for party purposes. It is not therefore surprising that the measure should, under such circumstances, have rendered the government temporarily unpopular in certain counties, where the whole onus of the measure was thrown on the government. Again, there is the question of Confederation which has been most unfairly represented for political purposes throughout the country. In the case of an election the government is necessarily placed at great disadvantage. It is hardly to be expected that their opponents would have such public spirit as to hesitate to avail themselves of every means of creating popular feeling against a government, even if they approve in their hearts of the very measures which have created a prejudice against the government. A government is always invested with an amount of responsibility which does not attach to an opposition, and has to endure all the consequences. We can safely say that even though we may have failed in some cases to obtain the approbation of the country, yet we have acted, from the first day we came into power, with a single eye to advance all those public measures which are acknowledged to be intimately connected with provincial progress and prosperity, even at the hazard of losing popularity.

The hon. member for North Colchester said that the Retrenchment scheme was a great cause of the advent of the present party to power. Does not the hon. gentleman know that long before that resolution was introduced, large majorities of voters in this country demanded a dissolution? The gentlemen opposite had not been over four weeks in the first House, when they felt they dare not go back to their constituents. Kings, Victoria, Cumberland, all spoke out in trumpet tongue against the government long before Retrenchment was even thought of. Gentlemen opposite, we knew, held their seats in direct violation of the law—the hon. member for North Colchester among the number. These and the hundred other illegal acts they committed—and I previously mentioned several of them—created an overwhelming current of public feeling against them. I would also like to ask the hon. gentle-

man what measures of public importance characterized the four years they were in power? None. They plunged the country into debt to the extent of \$140,000, and then had to heap taxation upon the people. Now I recall to gentlemen the fact that in 1859 they got up a cry which went from one end of this Province to the other. An "Alliance" was formed—one religious body to be proscribed in this country, and denuded of all political influence. But before their four years of power were ended, this Protestant Government that was to be, had eaten up all their previous professions, and bowed the knee to the parties they would have proscribed. Some gentleman may find it very convenient now to forget all these things, but they may rest assured that the intelligent people of this country, still remember these facts in their political history. Therefore I say that the hon. gentleman must see that there are other reasons than Retrenchment for the failure of his friends to obtain a renewal of public confidence in the elections of 1863.

As the hour for adjournment had arrived, and the Attorney General stated that he had yet to go into a review of the figures of the hon. leader of the Opposition, the House adjourned until Monday next at 3 o'clock.

MONDAY, March 26th.

The house met at 3 o'clock.

The amendments in the Bills to incorporate the Washington Pier and Harbour Company, and to incorporate the Merrigomish Coal Mining Company were agreed to.

PETITIONS, ETC.

Mr. ALLISON presented a petition from trustees of the Baptist Society, for leave to sell an old building, and obtained leave to bring in a bill in accordance with the prayer.

Mr. COFFIN introduced a bill to legalize the assessment roll of the district of Barrington.

Mr. ROBICHEAU presented a petition from a number of the inhabitants of Weymouth and Tasset against Confederation.

Also a petition from Clare on the same subject.

Mr. LEBB presented a petition from Baker and others on the same subject.

Mr. RAY presented a petition from Paradise on the same subject.

Mr. TOBIN presented a memorial from the Industrial Manufacturing Association of Nova Scotia, in reference to the encouragement of Agriculture. Referred to committee on Trade and Manufactures.

Mr. TOBIN also presented a petition in reference to Railway Damages.

Mr. ARCHIBALD presented a petition from 89 persons of the Strait of Canso, for the separation of the sale of liquors from that of groceries.

Also a petition from 49 inhabitants of Tangier on the same subject.

Also a petition from 100 inhabitants of Sherbrooke on the same subject.

Also a petition from 25 inhabitants of Wine Harbour on the same subject.

Also a petition from 50 inhabitants of New Ross on the same subject.

On motion of Mr. TOBIN, the petitions and Bill for the incorporation of an Electric Telegraph Company were referred to the committee on Law Amendments.

Dr. BROWN presented a petition from W. H. Rockwell of Wolfville, for a license to sell liquor. On motion the petition was subsequently withdrawn as being a matter for the Sessions of the County.

Dr. BROWN presented a petition from Hants County against Confederation.

Mr. ARCHIBALD presented a petition in reference to the necessity of widening a railway crossing near Truro.

Hon. Mr. SHANNON presented a petition from Law Section on the subject of Education.

BILLS.

Hon. Mr. SHANNON as Chairman of Committee on City Bills, reported the Bill to incorporate the Halifax Co-operative Society, with amendments.

Mr. BLANCHARD introduced a bill to authorize the registration of Deeds upon proof of the handwriting of the grantor in case of death or absence of the subscribing witnesses.

POOR'S ASYLUM.

Hon. PROV. SECRETARY laid on the table copies of correspondence relating to the Halifax Poor's Asylum, and said he would take the opportunity of calling attention to the treatment of pauperism and disease in the City. As City Medical Officer his attention had been turned to the subject, and in his annual Report to the Board of Health he had referred to the necessity of some better arrangements than the present being made, and submitted a draft of a scheme by which improvements could be effected. The support and medical attendance of transient paupers was a provincial charge, and the site of the Asylum was provincial property, so that the province and the city both had a voice in the management of the existing institution. These facts suggested the propriety of combining the control of the Asylum in a Board of Commissioners, to be appointed by the Civic and Provincial authorities in order to make the appropriation of the joint fund more efficient for the humane and enlightened treatment of pauperism and disease. He believed that the existing Board of Commissioners were as able and diligent, and as competent as any Board that it was possible to obtain in any city and as far as the medical department of the Asylum was concerned it had the advantage of one of the most skillful and attentive practitioners in the city, but it was well known that in consequence of the limited capacity of the institution it was impossible to carry on its management in a manner creditable to the Province, or to the City, and this fact had forced itself on the attention of the Committee on the Humane Institutions. The Report in which he had sketched an improved system had been sent to the Medical Society for the consideration of that body, and after the most careful examination an able Report had been submitted by that society from the perusal of which the necessity for a change would be at once apparent. A bill had been enacted on this subject, but owing to the

difficulty in arriving at an understanding between the Commissioners and the City authorities it had been afterwards repealed so that the whole question was again open. He would therefore propose that the large and valuable Provincial property on which the Poor's Asylum stands should be sold, and that the funds arising from the sale should be appropriated to the erection of a suitable almshouse on land to be furnished free of charge by the city in the neighborhood of the present city hospital, to be managed by the appointment of Commissioners on the part of the Executive Government and of the Civic authorities. Any paupers who might be suffering from sickness could then be sent to the Hospital and transferred when well to the almshouse. By such a combined management the treatment of the sick and poor could be placed on a far more creditable footing with very little addition to the expense. The Committee on Humane Institutions had reported very strongly on the inadequacy of the present accommodations recommending that the Government separate the management of the transient poor from that of city poor. Such a course would greatly have increased the cost; and the Government had enclosed copies of the Report to the Commissioners and to the City Council, requesting the appointment of Committees to co-operate; but all efforts towards arriving at a common conclusion had failed.

Mr. BLANCHARD said that, as Chairman of the Committee on Humane Institutions, this subject had come under his notice, and he felt that no language would be too strong to express the absolute necessity for some change. The present condition of affairs at the Asylum was a disgrace to the city and the province—the Committee had found 500 persons there, crowded together, many of them in the last stage of disease; and 50 being incurably insane. The Provincial Secretary deserved the thanks of the House for bringing the matter forward, and if anything could be done to reconcile the jarring interests, the Committee would be happy to do it. He thought it absolutely necessary that some additional hospital accommodation be furnished; and while the patients in the Poor's Asylum were thus crowded together, the City Hospital was lying almost useless, having never more than five or six patients at one time.

The papers were referred to the Committee on Humane Institutions.

THE PICTOU RAILWAY.

Hon. PROV. SECRETARY laid on the table copies of correspondence shewing the cost of railway superstructure.

Mr. LONGLEY remarked that the price of the common rail was \$30 per ton.

The adjourned debate was resumed.

SPEECH OF THE ATTORNEY GENERAL.

Hon. ATTORNEY GENERAL then resumed his speech as follows:

I take the advantage that is now afforded me of continuing my address on the subject before the House. Before entering upon the calculations of the hon. member who moved the resolution, I will

explain generally that in dealing with these figures, I would not for a moment attribute to the hon. gentleman the slightest intention to deceive either the House or the country, knowing as I do that a question like this requires a good deal of scientific knowledge before a person can presume to touch it in a manner satisfactory to himself or beneficial to those for whom the investigation might be made. I observed that the hon. gentleman in more than one place throughout his speech, alludes to having had the advantage of the services of other gentlemen who he says are competent to deal with the subject, and I take it for granted that the calculations he used are not so much his own as those of the persons in question. I think, however, the hon. gentleman will find that he has been led astray in the figures which he adduced in the course of his address, and that he, instead of the Government, has been the party deceived. That the hon. gentleman should make mistakes in connection with railway estimates is not astonishing, and I am prepared to make every allowance. I am free to confess my own inability to grapple with a subject so foreign to my own pursuits; but I believe myself quite able to correct his erroneous statements.—Any person who has at all considered the subject of railway operations must have learned this: that in the construction of such works there are as many and various systems as there are in any other business of life.

If you send two Engineers into the country to open a railway of any distance the estimate of the one will in all probability differ from that of the other. One of them might recommend a certain weight of rail, and a tunnel where the other would recommend a different weight and a bridge. One might recommend a particular curve in that direction—another in a different place, and so on. So if I sent two Engineers to survey the Picton line one might recommend that the road should have steep grades and heavy rolling stock the other that it should be more level, and have lighter rolling stock. One might be in favour of expending money in superior drainage, whilst the other would recommend less drainage and more ballast. And any unscientific person taking up an Estimate of half a dozen Engineers would be incompetent to say which is the best to adopt.—The Government in dealing with these matters, are not supposed to have this scientific acquaintance with details; they have to judge, in a great measure, by the general appearance of matters; and in awarding the contract to Mr. Fleming they had a right to see that they were to get the road originally contemplated and then to ascertain the exact expense, and keep it as low as practicable. There is no doubt that the Government would be answerable for the conduct of every person to a certain extent that they called into their service. I am free to admit that responsibility but still, at the same time, if the government honestly and faithfully discharge the amount of duty that their position fairly throws upon them and if then a mistake should be made by an Engineer I consider that they are not responsible for that error. I have yet to learn, however, that any mistake has been made by any

Engineer. We are told in the course of this debate that there was no guarantee for the style of the work that was to be done, but any gentleman who has listened to the reading of the documents just laid on the table will see at once the great desire evinced by Mr. Fleming to provide for this country a high class of railway extending even to its superstructure. You have heard the minute description he gives of the style of rail he requires—his minute directions for the manufacture of these articles, and must come to the conclusion that he has provided to give to the people of this province a most efficient railway at the smallest possible expense. We are told that there was no provision made for iron bridges in the contract, whereas the fact is, that the iron was ordered before that contract was made. All the plans, everything necessary, had been previously furnished by Mr. Fleming, in order to make the road as perfect as possible. When the county sees that Mr. Fleming fails to give it a first-class railroad, when the injury has been actually done, but not merely insinuated, let the complaints come here, and the Government be brought to task. That we may see what kind of a road we are to have, allow me to contrast it, in a few essential features, with the railways we have now in operation. I start with this assertion that between the station at Truro and Fisher's grant at Picton, 52 1/4 miles, there is not to be one wooden bridge. There are, however, to be what we called open culverts in some cases, where the ground does not admit of arches or covered ones. Now, on the other hand, look at the 90 miles between Truro and Windsor. We have on the main line 26 timber bridges with an aggregate length of 1834 feet; on the trunk line to Windsor 10 bridges with an aggregate of 1465 feet making in all nearly three thousand feet. We are then going to have either iron bridges or culverts, and there is no danger of expense for repairs after the road is in operation. We will have permanent works instead of the perishable wooden structures on the present lines.

There is no doubt that all the streams on the Picton line will be crossed on iron girder bridges, or by solid arches covered by permanent embankments. The only exception will be in the case of small streams where the embankments are low, and where small open culverts will be used as in the other lines, but not even to anything like the same extent in proportion to distance. When, therefore, we consider the fact that we have about 3-5ths of a mile of wooden bridges between Windsor and Truro that are now actually rotting away, we see that we are going to have a road to Picton that will cost us little comparatively to keep up.

I shall now turn your attention to some of the figures adduced by the hon. gentleman, and I will say at the outset that I am not going into all his calculations. There is, however, one calculation he made that bears particularly against the Government and the Chief Engineer, and as on it hangs every other calculation, I feel it will be quite sufficient if I can dispose of it satisfactorily. If that calculation is proved conclusively to be incorrect, I can safely assume, that the others

built upon it are equally false. In order to make my remarks more intelligible I shall read the following extract from the hon. gentleman's speech:

"Mr. Laurie, in March 1859, at a time when it was supposed to suit the views of the existing government, he would not be disposed, at all events, to under-rate the cost, gave us an estimate. This was founded on the supposition that the rails would be 63 pounds per lineal yard. The rails on the present line are to be but 56 pounds. The difference is one-ninth. The ballast was put by Mr. Laurie at 4800 yds. to the cubic mile, while in this contract it is 3000 yards.—Thus striking off three-eighths in that item. It should be remembered that though I make no deduction on any such account, the slighter railway requires less material in spikes, chairs, &c. Making then the deductions for the rails and the ballast, we will find that the cost of a mile of railway superstructure as estimated by Mr. Laurie, in his report in the Journals of the House, in 1859, p. 76 of the Appendix, added to the amount for sidings under the contracts, gives us the sum of \$8538.16 per mile. This, multiplied by 48½, will give us the entire cost of the superstructure as estimated by that officer at a time when, as I have said, it was the interest of the government to make the cost appear as large as possible, at \$419,152.80. Therefore, while Mr. Fleming himself undertakes to say that the superstructure should cost \$530,000, his estimate is \$110,847.20 beyond Mr. Laurie's, and yet Mr. McNab, in the teeth of these facts, which it was his special duty to have brought to the notice of the government, undertakes to say that this extravagant calculation is not extravagant enough, and that \$41,000 must still be added."

It is a well known fact that if you state a sum in arithmetic you can bring it out by the mode of statement any result you please, but if you make the enquiry with a view of ascertaining the truth you will give the facts accordingly. If you want to compound a particular mixture you must ascertain the ingredients, and see what they will come to when mixed together. That is the only truthful way of making calculations. The hon. member made deductions from the weight of the rails from the quantity of the ballast, and not satisfied with this, he also took off from the length of the line some three or four miles. He therefore started with three false figures in this calculation. If the hon. member had studied the papers as he should have done; if he had asked for information from an engineer acquainted with the subject, and unbiased in his judgment, he would never have come to the conclusion he has. The hon. member says that Mr. Laurie calculated the rail at £12 a ton, and according to that deducted the proportion that ought to be deducted for the difference in the weight of the rail. He puts down ballast at 40 cents cubic yard and makes the calculation accordingly, and as far as that goes he was correct. If the hon. member had read the estimate of Mr. McNab, under which the government was induced to give Mr. Fleming the contract, he would have seen that the rail intended to be used was to be of the T pattern, and to weigh 5½ lbs. per lineal yard," and that "a quantity, sufficient to lay 54 miles

of single track, has been ordered." The correspondence on the table will also show him the quality of the rail that has been ordered, and the price which it is likely to cost; and in that way he might be able to make calculations a little more accurate. What more might the hon. gentleman have found in Mr. McNab's estimate? Not the iron joints that Mr. Laurie estimated at £20 per ton, and of insignificant weight but a very superior article. "The rails," says Mr. McNab, "will be connected by a steel chain, or what is known as the scabbard joint which will be twenty inches in length, and which cannot fail to prove far superior to the ordinary wrought or cast-iron chain invariably used on this Continent." Why is it called a scabbard joint?—Because it is intended to lap the rail like the scabbard does the sword blade and that to the extent of twenty inches. Instead of common plate, which gives comparative little or no support, you are to have a joint which, as Mr. Fleming states in his letter, will make "a continuous railway." These letters state that an offer was made to deliver these rails for £7 10s in Wales, and for £8 sterling at Liverpool. The hon. member takes the rails as given by Mr. Laurie and puts them at £12 per ton. I hold in my hand a document which shows that the price of the rails between Truro and Windsor varied from £5 7s. 6d. a ton to £6 and £6 5s. per ton and £7 10s. and a small quantity as high as £8 7s. 6d. The average cost of them was £5 17s. 6d. or £7.—The accounts in the railway office will show that the rails cost when delivered here, and placed in a position to be used on the road, £11 19s. a ton. Mr. Laurie, therefore, with this information before him estimated the cost of the rails, of the common kind then used, for the Pictou line at £7 and £12 delivered here. But before I proceed further let me give you Mr. Laurie's Estimate.

ESTIMATE OF THE COST OF A MILE OF RAILWAY SUPERSTRUCTURE.

Rail weighing 63 lbs. per yard, or 93 tons per mile, at £12 per ton, delivered at Halifax and Pictou.....	£1188 0 0
3½ tons of wrought iron joint-plates, at £20 per ton.....	70 0 0
3½ tons of spikes, at £20 per ton.....	70 0 0
2350 sleepers, delivered on the line of railway, at 9s.....	205 12 6
Laying rails per mile.....	150 0 0
Carriage and distribution of material—(106 ton) per mile.....	160 0 0
Switches and crossings per mile.....	60 0 0
Ballasting per mile, 4800 yards, at 2s.....	480 0 0
	£2383 12 6

As respects the ballasting of the Pictou road, I may here observe that the preparations for drainage are of a most efficient character. Any man who goes over the line, whether he be an engineer or not, will see at once that not nearly as much ballast will be required for it as for the present road. I am safe in saying that the amount of 3000 cubic yards as computed by Mr. Fleming will be found largely in excess of what has been put on our existing line of railway, with comparatively little provision for drainage. As shown above, Mr. Laurie's estimate of the superstructure of the Pictou rail-

way was £2388 12 6. But let us see the difference in the style of the road he proposed and that which we are now to have. Mr Laurie's estimate may be correct enough, but it is not expected to hold good for ever; the materials that enter into the construction of a railway change in price like all other articles. You will bear in mind that Mr Fleming contracts to have the best description of iron that is possible. He writes to an English Mechanical Engineer to obtain the best quality of rail usually made. Additional expense will necessarily be entailed by this fact, and the fact that they have to be made to order under inspection. At the time the contract was taken we had the information that there were only two manufacturers in England who would undertake to make them at all. Taking then the cost of the iron that was placed on the road at £7 a ton, we may assume, from what we have seen, that the price is, at the present time, a pound more for the higher class of rail required. The letters just read state that the manufacturer were not ready to state fixed prices and wait orders from here, in view of the large orders that were coming in from the United States. Therefore, the rail that formerly cost £12 may now be estimated at £13 5 a ton. Taking, then, the rail at 56 pounds to the yard, we have 88 tons to the mile (Mr Laurie's estimate was 99 tons a mile, for rails weighing 63 pounds a yard), we have an expense of £1166. Then we have 15 000 lbs of steel scabbard joints at 10 cents a pound; and I am sure that the quantity and price are both right, making an amount of £375. Next we have 3½ tons of spikes, the sleepers the laying of rails, carriage and distribution of material, switchings and crossings—the same as in Mr. Laurie's estimate. The quantity of ballast required, 3000 cubic yards at 2s amount to \$1200 or £300. Adding these several amounts up we have a total of £2486 12 6, or £103 a mile for the superstructure, over Mr Laurie's estimate. We may be told that this is a very extravagant price; but by Mr. Livesey's letter you see that the rails can not be got in England for less than £7 10 or £8. All the information shows that the price was likely to go up. We had also the means of ascertaining what the steel joints would cost. It was to be a regular scabbard cover, the length being 20 inches, width 16 inches, thickness ½ inch. The weight would be 24–10 lbs each. The number in a mile will be, as nearly as possible, 530 which make an aggregate weight of over 15 020 lbs a mile. I old in my hand a paper from a very extensive hardware merchant in this city, shewing the price of spring steel, the same as used for the scabbard joints, at the prime cost of 10 cents a lb. The Manufacturer's Steel Company, the only one from whom Mr Livesey had an offer, was willing to furnish them at £40 sterling a ton in Liverpool; about £58 in Halifax, without the duty. That amount would come to about 10 cents a lb. Therefore looking at the cost of the steel scabbards, we had a right to assume that it would be over £50 instead of £20, as estimated by Mr. Laurie, and requiring over

double the weight. Every one acquainted with what are called the common fish joints is aware that they are much superior to the ordinary ones in use. Whilst travelling in Canada, over a year ago, I found that they were abandoning these common joints on the Grand Trunk Line, and substituting the better class, as they were preferable in every way, but even they are far inferior, and cost less than half the steel scabbard joints.

I have now shown you that we are getting for less money a better class of road—that if we lose in the weight of the rail, we more than make it up both in efficiency and value in the scabbard joints—that there is a sufficiency of ballasting and very superior drainage. The hon. member will now see that when he addressed the House on the subject he had hardly that information in his possession that entitled him to speak with so much authority.

The hon. member drew a comparison between Mr. Fleming's estimate for the Intercolonial Line and that for the Pictou Line. He said:—

“Next let us judge Mr. Fleming by himself; he was called on to estimate the entire cost of the Intercolonial Railway from Truro to Riviere de Loup, and to state what the cost for superstructure per mile would be. On that line the rails were to be 70 pounds instead of 56 as here, making a difference of one-fifth; and the ballast was to be 5000 yards per mile, instead of 3 000, making a difference of two-fifths;—and we find that Mr. Fleming, taking Mr. Laurie's prices in the estimate of 1869 puts the entire cost per mile of superstructure at \$8074 17, after adding the five per cent for sidings. So that, if we judge Mr. Fleming by Mr. Laurie, we will find that he has over-calculated to the extent of \$110 000; and taking his own estimate on the Intercolonial line—and 4½ miles at \$-074. 17—yield a total of \$393 615.78 or \$ 36,384.22 less than his present estimate, or \$177,80 less than Mr. McNab's. Therefore in a single feature of this transaction, Mr. Fleming has undertaken to make the estimate for the Pictou Railway in excess of his own calculation for the Intercolonial by \$136 000; and yet Mr. McNab—this model Engineer, who has been conjured up to pass an opinion upon the proposals—says that Mr. Fleming in making it \$110 000 more than Laurie, and \$136 000 more than himself, is still \$41,000 out of the way.”

When I turn to Mr Fleming's estimate I find that the hon. member is altogether wrong. Here is his Report of the Survey in my hand, and I find that he gives for four or five hundred miles what he considers a general mileage charge. It is possible that if Mr Fleming were estimating for a particular section 40 miles long, of that line, he might put the rate 25 per cent. less or more, according to circumstances, and his sentence before the estimate shows that estimate had reference to no particular line or section, and cannot therefore be compared with actual known quantities. Mr. Fleming says:—

“There are services which do not altogether depend on the measurements made on the line of survey. On estimating these I deem it best to consider their uniform mileage charge. They are as follows.”

He then gives his mileage estimate, and, applicable to the whole, he puts down contingencies at \$6,000 a mile. After ascertaining the mileage charge, he then makes estimates for building and grading the different sections, shewing clearly that these can only be properly estimated after the most careful survey, and with

a pretty large allowance for contingencies. He speaks of fish joints, but in doing so means clearly those with the common plate, such as are commonly known and used, but not the expensive scabbard joints such as provided for the Pictou line. Suppose Mr. Fleming intended to put in that estimate as he has in the Pictou line, joints that would cost \$1,220 a mile more than Mr. Laurie estimated, and which come to the large sum that I have mentioned, then the result would have been quite different. Here is another particular wherein the hon. member made a gross mistake, which may have been accidental, but if so hardly excusable; he says Mr. Fleming proposed to put 70 lb rails on the Intercolonial line, whereas it was rails and joints together making that weight. The hon. member forgot altogether to make a calculation for the weight of the joints, which, if deducted would probably have reduced the estimate for the rails as low as 56 lbs, and he has in fact for the Pictou line provided in rails and scabbard joints over 70 lbs per yard, and the joints to be of steel instead of iron.

Having made these explanations which no doubt will be satisfactory to the house, let us now see what Mr. McNab says in his Report:—

"I am fully aware that it was Mr. Fleming's great aim and desire to bring the total expenditure within, at all events not greatly exceeding the proposed appropriation of \$3,000,000 by making some alterations in the specifications, in the Grades and Curvature; at the same time I cannot overlook the fact that his original estimate of \$2,165,000 was based on the tenders previously accepted; and that those very tenders contained prices which have since proved far too low for the execution of the various works.

"In addition to this, it is well known that where extensive works are required to be completed within a limited period, and that period, as in the present instance, a very short one and extending over the worst season of the year, the cost of construction must necessarily be materially enhanced.

"The whole of the Rails, Chairs, and Iron Girders for bridges are already ordered and are being manufactured under the immediate supervision of James Livesey, Esq., Mechanical Engineer, London, who has received instructions to accept only the best quality of material and the most superior workmanship.

"As there can be no deviation from the above order, I would state that the *Permanent Way* secured by the Government in the proposed contract, will greatly excel that of the existing Provincial Railway."

Here you see clearly explained the character of the road we are going to have! Any one can understand this matter if he will take the pains of reading all the papers, and obtaining all the information connected with the question.

I will now ask the House to look at the position which the Government occupied in January last, and when I am done, I think you will acknowledge they were perfectly justified in the course they have pursued, and that the bargain they have made is most advantageous to the Province. The government, after the contractors failed, carried on the work for a few weeks by day's labour, instead of giving it out by contracts, when contracts could not be had except at largely increased rates, and immediately certain public journals commenced to publish far and wide that the road was going to cost an enormous sum, at least \$3,000,000, while the work

was being carried on in that way. We knew these charges were not true, but at the same time we felt that we had no guarantee of the actual cost of the road, and that if we continued the operation, we were assuming an unnecessary responsibility. We had other railway matters to consider, and in what a difficult position would we have been placed had we been met this session with the assertion that the Pictou line was going to cost, as so often asserted, \$3,000,000, and therefore the Annapolis line could not be built for the present. We looked at all the facts and information in the possession of the government relative to the line, and then asked ourselves whether we were right in incurring the great responsibility of carrying on the road as a government work without having any definite knowledge of what its actual cost would be, and subject ourselves to an attack which would no doubt have come from the same quarter as the present had that course been pursued. No one will deny the great necessity that existed for having the road constructed by the spring of 1867. We had not time to go to England or the United States for an engineer, but we had a gentleman in our midst who, as the certificates on the table show, has occupied a very responsible position in other countries, and who since his employment here as Provincial Engineer, had given abundant evidence of capability. The Government accordingly called upon Mr. McNab to report upon the proposition made by Mr. Fleming. Upon the report it is unnecessary for me to dwell, as it has been fully and ably defended by my hon. friend, the Provincial Secretary. I will only say that any person looking at the document will see that in one item alone Mr. McNab has been more correct than Mr. Fleming. The latter puts the engineering cost at \$60,000 whereas the former gives it at \$70,000. Now the fact is, that up to October last, this service had cost \$36,000 already, and up to January, something like \$46,000, leaving only \$14,000, according to Mr. F's estimate, to finish the work. It will be therefore seen that it is far more probable that the cost of this service will be \$70,000 instead of \$60,000.

We acted upon Mr. McNab's report; but, as the House is now aware, we had a certain amount of information ourselves previously in our possession, which would enable us to decide as to the proper cost of the road independent of his Report and any previous estimate of Mr. Fleming. I contend that when we had an offer of \$3,116,500 we would have failed in our duty if, under all the circumstances, we had rejected it. The hon. member referred to two tenders which we had for the construction of the line from Mr. Jones and J. Gordon & Co.; but, before alluding to them, I must turn the attention of the House for a few moments to a few other facts bearing upon this subject. Mr. Reekie, in October, 1864, offered to complete the road for \$2,000,000, and his was the only bona fide offer we had from a competent party to complete the whole work, and then, remember he had two and a half years to do it in. Mr.

Reekie, however, was below Mr. Fleming's estimate in many important respects, both as to the superstructure or permanent way, and as to the provision for the efficiency of the road bed. The difference between the common chairs that Mr. Reekie offered to furnish, and the steel scabbard points of Mr. Fleming will amount to \$1100 per mile. Mr Reekie estimated the rail at 66lbs being the same as Mr. Fleming, and the ballast at 2800 cubic yards per mile—Mr Fleming's being 3000—200 yards at 40 cents amount to \$80 a mile. This \$1200 a mile makes a difference of \$60,300 for 50½ miles of railway. Then he estimates the sidings at 3 per cent., and the difference between that and 5 per cent., comes to \$10,000. The total amount of the difference in the estimates is, \$70,300. Again, in the excavation of the embankments there is a difference made by reducing the width 2 feet, amounting to \$50,000 according to the hon member's calculation. Add all these sums and you have \$120,300 to which add the \$2,000,000, making \$2,120,300, and exceeding Mr Fleming's contract by \$3,800. If we had taken Mr. Reekie's offer, we would therefore have had a far inferior road, although he required two and a half years to do it in. Do you think if the road had been offered to Mr. Reekie at the time Mr. Fleming took the contract, he would have repeated his offer of 1864. It is very improbable, in view of the short period of time for him to do the work in, he would have said: "I require at least \$2,220,000, because I have so little time, and only one summer to do it in." Everybody knows that it costs far less to build a railway in summer than in winter, and in this case Mr Fleming has but one summer within the period of his contract.

Now let us look at the next tender, that of Gordon & Co. This offer was also made in October, 1864; but how could we know that they would repeat it under existing circumstances? We had many good reasons to believe to the contrary

1. Their offer for grading was.....	\$1,202,490	
2. Add miscellaneous works not in the above, taking Laurie's Estimate for 40½ miles, viz:		
Superstructure of bridges.....	£20,500	
Grading, stations, etc.....	5,000	
Road crossings, etc.....	3,500	
	£29,000	
	\$116,000	
\$116,000 for 42½ gives for 50½ miles.....		137,000
3. Contingencies being the usual allowance of 10 per cent to cover everything connected with the above.....		139,948
4. Superstructure according to Laurie's estimate, with proper corrections as before given 52½ miles at, in round figures, £2490 per mile.....		525,390
5. Ferry service.....		30,000
6. Station accommodation.....		40,000
7. Engineering (of which \$42,000 were expended up to January 1, 1865.....)		70,000
	\$2,138,818	
Deduct amount of Mr. Fleming's contract	2,116,500	

Leaves in favor of the latter the sum of... \$22,318
I come next to the tender that was made by D Cameron & Company:—

1. Grading.....	\$1,278,860
2. Miscellaneous works on Laurie's estimate for 40½ miles, viz:	
Superstructure of bridges.....	£20,500
Grading, stations, etc.....	5,000
Road crossings, etc.....	3,500
	£29,000
Same rate for 50½ miles.....	137,000
4. Contingencies, 10 per cent.....	141,585
	\$1,581,935
Superstructure according to Laurie's corrected estimate.....	525,390
5. Ferry service, station accommodation and engineering, as in last statement	140,000
	\$2,217,325
Deduct amount of Mr. Fleming's contract	2,116,500

In favor of the latter the sum of..... \$100,825
Then we had other estimates, ten in all, made in 1864, when labour was cheap and 2½ years given to complete contract. I will read them: Abstract of the estimated value of Tenders for clearing, excavation and masonry from Section No. 1 to Fisher's Grant:

1. Francis Jones.....	\$1,049,570
2. Jas. H. Fraser.....	1,079,725
3. M. G. McLeod.....	1,101,232
4. Alex. McBain, Jas. Foster, F. Davis.....	1,102,270
5. W. Gordon & Co.....	1,202,490
6. D. Cameron & Co.....	1,278,550
7. Andrew Elliott, Ronald McDonald.....	1,265,593
8. Ralph Jones & Co.....	1,368,605
9. Jeffrey McCaul.....	1,658,240
10. John McKie.....	1,732,499

The amount allowed for same works in Mr Fleming's original estimate, founded on section tenders, submitted to Government, 24 November, 1864, was \$965,000.

The hon member referred to Mr. Jones as having tendered for the road, but he does not appear to have known who this gentleman is. There is a Mr. Ralph Jones who tendered—a Canadian Engineer of large experience in railways; he was one of the contractors for the Parliamentary Buildings at Ottawa, and one fully competent to estimate the value of the work. By his tender the road would have cost \$205,055 more than by Mr. Fleming's contract (\$1,368,000), and two and a half years to do it in. The other Mr. Jones is entirely inexperienced in railways—he is a Parliamentary gentleman but no engineer, and, as far as I am informed, never built a mile of railway, and would have been as likely to fail as any of the late contractors on the line. Therefore it will be seen the argument of the hon. member on this point is as baseless as the fabric of vision. He no doubt confounded the two persons of the same name, but I have given the estimate of the only one that is really worth considering.

Now taking the average for the whole of these tenders that were given in 1864, when these parties had 2½ years to build the road and labour low, I find that it is for grading—

Miscellaneous as before.....	\$1,278,820
Contingencies.....	141,353
Superstructure as before.....	525,390
Ferry service, stations and engineering as before.....	70,000
	\$2,220,272
Deduct Mr. Fleming's contract.....	2,116,500
Balance in favor of latter of.....	\$108,772

Yet we are told, in the face of such facts as these, that Mr. Fleming's contract is too much. If he makes anything it will be through his great skill and industry, and therefore, while giving us a first class road at a cheaper rate than we could otherwise get it, he would fairly earn any possible profit, if any, that might arise.

I will now give you the estimate of the cost of the road in case Mr. Ralph Jones' tender had been accepted:—

1. For grading.....	\$14 8 605
2. Miscellaneous.....	137 000
3- Contingencies.....	150 560
	\$1,656 160
4. Superstructure as before.....	525 390
5. Ferry services, Stations and Engineering.....	140,000
Mr. Fleming's contract, \$3 116,500.....	\$2 221 555

Leaving in favor of the latter..... \$205,055

Estimate, taking Ralph Jones & Co's Tender for whole grading:

1. R. Jones & Co tender for grading works.....	\$1,268 605
Miscellaneous works according to Mr. Laurie's estimate.....	187,000
3. Contingencies, being the usual allowance of 10 per cent. to cover everything connected with above.....	150 560
	\$1 656 165
4. Superstructure on the basis of Laurie's estimate, corrected.....	535 3 0
5. Ferry service.....	20 000
6. Station Accommodation.....	40 000
7. Engineering.....	70 000
	\$2 32 655
	2,116 500
	\$205 055

We found before Mr. Fleming got this contract that it was impossible to have the road finished for the sums stated in the tenders of the contractors. We pursued what gentlemen say is the law, and put it up to tender; 23 came in, and I will give you the result, and the amount that would have been expended by the Province had the same prices been applied to the other sections of the road. We were told, the other day, that the section in question was, in some respects, very difficult. I admit that assertion is true to a certain degree—the earth excavation was most difficult—it had to be blasted with powder in some places, but the same difficulty was experienced on most of the other sections to some extent as the pick could not be used. The masonry part of the contract, however, was a good one compared with others. Other contractors had to make roads, and haul the material they required for a distance of many miles—varying from ten to as high as 25 miles. The contractor for No. 7, on the other hand, had all his material most convenient so that taking all into consideration we had abundant proof that the result as to No. 7 might fairly be estimated for all the other sections except perhaps one. I shall now show what the road would have cost, founded on an average of the tenders for completion of section No. 7.

Net quantities of work computed at average prices, received last for Section No. 7	\$1,392,587
Miscellaneous.....	137,000
Contingencies.....	152,958

Superstructure.....	\$1 652 541
Ferry service, station accommodation, and engineering.....	525,390
	140,000

Fleming's contract.....	\$2,317 931
	2,116 500

Balance..... \$231,481

Now I ask with this information in the hands of the Government, were they not justified in pursuing the course they did, in rejecting the tenders for Section 7, and taking other and cheaper means to complete the road?

It must be remembered, too, we had the evidence in our hands that if we had carried on the work ourselves, a larger additional expense would have been entailed than was at first expected. As far back as October last Mr. Fleming wrote us the following steps were required to insure the construction at the proper time.

2. Erect or provide a sufficient number of comfortable shanties and boarding-houses for workmen.
3. Procure at least one steam excavator, together with sufficient plant for removing material, &c. The excavator to be employed continuously, night and day, (Sundays excepted)
4. Open new quarries and employ a sufficient number of teams to convey stone to the different points along the line of Railway during Winter
5. Erect a telegraph along the line of works,—at all events to the heavy works at New Paris for the purpose of conveying information and directions with dispatch.
6. Roof over and enclose some of the principal structures, so that the masonry which is so much behind may be carried on during Winter.
7. Employ every mason and stone-cutter that can be had, and who can work to advantage in preparing material during Winter.

With this information in our possession we had reason to suppose that the road would cost at least \$200,000 above the sum for which it is now to be constructed. Suppose such had happened, what a clamor would be raised against the Government, and the Government and Engineer would have been charged with having originally produced false estimates.

The hon. member, in his zeal, attacked not only the Government but the engineer who made the Report on which they acted. This attack was most undeserved and unwarranted by a proper consideration of the facts within his reach; but the hon. gentleman lets us know the reason why he pursued such a course. He says:—

"It may be said that this is strong language to be used of a person outside this House, who is not here to defend himself, but the action of this officer is public property. That action has controlled 'w' millions of the public money. Am I to be told then, that from feelings of delicacy or consideration to a person so situated I am to refrain from reasoning upon matters of this importance or drawing deductions patent on the face of these documents? Surely not. In making these remarks, of one of whom personally I know nothing, of whom I judge only by what is in the hands of every member of the House I am not exceeding the fair license of a representative of the people. I will go further, and say that were I to sacrifice what I believe to be important public interests to feelings of delicacy, I should be obedient to the trust which my constituents have reposed in me."

If the hon member thought he had a fair case supported by facts, he would not have felt it

necessary to make this apology. It appears to me that the hon member was so carried away by his indignation against the government, the engineer, and everybody else, that he hardly knew how to measure his address to the house. Further on he says:—

“ If I also that, in the consideration of this question, I do not deal with it in reference to any party aspects, but as it touches the interests and feelings of the great body of the people. The house well knows that I have never hesitated when matters, which meet my sanction, and are in conformity with my political convictions, come from quarters to which I owe no support and no favor, to give them my approbation irrespective of factions, or party considerations, but when I feel that the great interests of the country are being trifled with, and that has been done which no executive government ever dared to do before, I consider that I should be betraying my trust if I failed to come forward, and denounce the deed.”

Who could suppose for an instant that so patriotic a gentleman as the leader of the Opposition could be at all influenced by party motives! Perhaps the hon member will permit me to amend this part of his speech, and I will leave it to the whole country to say if my amendment would not place the hon gentleman in his true position? Hear, then, the amendment I propose. “ The house well knows that I have never hesitated when matters, which meet my sanction, and are in conformity with my political convictions come from quarters to which I owe no support and no favour, to give them my approbation irrespective of faction or party considerations; but when I feel that the great interests of my party are being trifled with by the successful construction by our opponents of a railway which we promised to build but never did: when I see that three weeks of the session have passed without an attack on the Government, “ that it is twelve o'clock, and niver a blow struck; when it is doubtful whether there is any opposition, and if there be whether I am its leader, I should be betraying my trust if I failed to come forward and denounce the deed ”

Well, the hon. gentleman has “ denounced the deed,” and I am quite content to await the verdict of the country. I hold that he has denounced the Government unfairly,—that he has so misstated facts and failed to give them that consideration that should have been given in their favor. We all know that there are those in the world who will endeavor to persuade their fellow-beings that they are acting from the purest of motives. The experience of society proves that the most malicious slanderer, the most unscrupulous libeller, the most vindictive persecutor, often persuades himself and even attempts to make the public believe that he is actuated by the most worthy motives. We all know that in the name of liberty the most atrocious crimes are committed. The dagger of the assassin is plunged to the hilt in the breast of his defenceless and innocent victim, and the torch of the incendiary applied destructively to the dwellings of unsuspecting and unoffending citizens. The sanctity of religion is often exhibited to cloak and conceal the most diabolical designs, and to enable the exhibitor the more safely and effectually to impose upon the object of his attacks; and patriotism is too often the mask that is worn to cover the most unjustifiable attacks upon public men and measures. Now without wishing to occupy the attention of the

House any further, I shall, after thanking gentlemen around for their kind attention to my address, leave this subject to the country to decide.

It will be therefore for a discerning public, with eyes more numerous than than those of Argos, aided by the unerring light of truth and an earnest desire to arrive at a just conclusion to place in the category where it ought to be found this most uncalled for and unjustifiable attack upon the Government, for honestly endeavoring to redeem their pledges for the speedy, efficient, and I may add, economical building of the Railway in question, and for thus subserving the true interests of the country.

The debate was then adjourned.

TUESDAY, March 27.

The house met at 3 o'clock.

PETITIONS.

Mr BOURINOT presented a petition from Cow Bay, in favor of assessment for the support of schools.

Hon Mr MACFARLANE presented three petitions from Wallace for the separation of the sale of groceries from that of liquors.

INSPECTION OF FISH.

Mr TOBIN presented a memorial from the Chamber of Commerce in reference to inspection of pickled fish. He said that there was formerly a law which authorized the Governor in Council to appoint County Inspectors, who appointed deputies, but that law had been repealed, and the matter had been left in the hands of the sessions.— The memorial asked a re-enactment of the law.

Mr PRYOR, in reference to the fisheries, said that bounties having been given to the agricultural population, he hoped the fishing interest would meet with due consideration. If a system could be adapted by which fishermen could be instructed to cure their fish properly, it would be a great advantage.

Mr LOCKE said that the old law, after being tried faithfully, had been found a failure, the office of county inspector being but a sinecure.— The merchants, he thought, should make their purchases on sight of the fish.

Mr PRYOR said that his observations had been chiefly in reference to an improvement in the cure of fish—he was not prepared to say whether the law referred to should be re-enacted or not.

Mr S CAMPBELL said that the law imposed a very heavy tax on the fisherman, without producing corresponding results.

Mr TOBIN explained the history of the question. He had been in favor of the law, but would be the last to impose a burden on the fishermen.

Mr LOCKE said that the law had proved a failure, after eight years' trial, and did not tend to improve the quality of the fish brought to market.

PETITIONS, &c.

Hon PROV SECRETARY laid on the table a petition from Cumberland in reference to transmission of mails from Truro to Amherst.

Mr COLIN CAMPBELL presented a petition from 600 inhabitants of Digby county, praying the extension of the Railway to Digby.

Mr TOBIN presented a memorial from the Chamber of Commerce, praying an investigation into the operations of the Shipwrights and Caulkers' Association. He said that since the subject had been under discussion he had been called upon by members of this Association who made it appear that their transactions had been entirely of a useful and creditable character—Referred to Committee on Trade and Manufactures.

Mr TOBIN also presented a resolution from the Chamber of Commerce in favor of a repeal of the Usury law. He expressed himself as doubting the propriety of the change, but said he thought that mortgages in the city should be exempted from taxation, so as to relieve the community from the difficulty in obtaining loans.

Mr ARCHIBALD presented a petition from Upper St. wiacke, in favor of the separation of the sale of groceries from that of liquors.

Also, a petition from Earlton on the same subject.

Mr BLANCHARD presented a petition from Margaree for the establishment of a Way Office.

Mr MILLER presented a petition from Grand River, Richmond County, against the Education law.

Mr RAY presented a petition from the inhabitants of Victoria Beach, for aid to erect a break-water.

Dr HAMILTON presented a petition from 49 inhabitants of Scott's Bay, for the separation of the sale of groceries from liquors.

Also, a petition from the Way Office keeper at that place for an increase of salary.

THE PICTOU RAILWAY.

The adjourned debate was resumed.

Mr. S CAMPBELL said this debate has assumed such protracted proportions that I feel reluctant to detain the house by making the law observations which I have to offer upon the resolution now before us, but as I consider this subject a matter of the highest importance both as regards the position of the House and the interests of the country I feel I should not be doing my duty were I to fail to make some remarks upon a few of the features of this transaction. That feature to which I desire more particularly to refer is the one which relates to the alleged legality of the contract under consideration. The construction of the Pictou Railway is a measure based upon Statute Law and the provisions of that law are very distinct and clear, they are calculated to define the duties of the government in relation to the work, are also well calculated to promote the interests of the Province. It appears to me, therefore, that it was the especial duty of the government to take no step in reference to this measure that was not entirely consistent with the Act pointing out their duties and the course which they should take. At the inception of our Railway system it was found necessary to lay down certain rules—to prescribe by positive statute the conduct of the government in reference to its management, but especially in reference to the construction of the work, and as these works have extended we have found these provisions still continued in operation. When, therefore, in 1854

it became necessary to pass an Act providing for the extension from Truro to Pictou, the legislation on the subject was exceedingly brief, merely referring to the provisions of the general act and directing that in that extension, the previous legislation should be strictly adhered to. Now I have a very high respect for an enactment of the Legislature, because I conceive that when we act in conformity with it we are acting in obedience to the express views deliberately arrived at, of those who represent the people. It is to be assumed then that there is no safer guide for public men, especially for those who are entrusted with the government of the country than the law thus prescribed, for it cannot fail to be perceived that when a government depart from the law it follows as a necessary consequence that those placed in inferior positions may take the same liberty and contravene similar positive directions of the Legislature. In reference to this particular measure it was provided that certain preliminary steps should be taken in entering on the construction. It was provided that when the work was to be undertaken advertisements were to issue specifying the work, and operations were only to be commenced after tender made and contract duly entered into. In this matter the government at the outset acted upon the law and thereby justly admitted the propriety of it and their responsibility under it for we find in the inception of the work specifications going out, tenders coming in and contracts being duly made and entered into, nor did they then ignore that portion of their duty which required that the contractors should have their engagements fortified by sufficient securities, for we find that these contractors not only entered into formal written stipulations but brought with them as parties thereto persons of sufficient responsibility to guarantee the performance of their work. It appears however that after these persons had entered on the work which they had tendered for and contracted to perform, for some reason or other they declined to continue the work.

What then was the duty of the Government in this contingency? Was it consistent with their duty and responsibility to discharge the contractors? They held ought to have held sufficient security for the performance of the work, but whether these securities were sufficient or not, the Government undertook to discharge them.—In this they committed blunder the first—a blunder gross and grievous and calculated to sap the foundations of the system of carrying on our public works, for what do we find? On our statute book there are provisions that all contracts for works of a public nature shall be fortified by securities, and if the Government are to be vindicated in this act of theirs, with what force can any member of the house or of the government call upon other individuals to have our ordinary and local works efficiently performed? It is already a mischief that contracts of a public character are not sufficiently enforced, but let it go abroad that such conduct as that now under consideration can be justified, and we are altogether at sea,—we need no longer expect in the

districts to see the performance of engagements which the people have a right to see performed. — The statute-book will then become utterly valueless — it will be a book upon which certain regulations are written, but those regulations will be utterly nugatory, and deceptive. I value the law because when it speaks, we understand the course we are to pursue but that kind of law which is vague and uncertain is not the species which I recognise as the law of liberty — it is the law of slavery — the creature of corruption and the instrument of fraud upon private and public rights. It would seem that the government hold that they did not do wrong in discharging these securities but on that point I am entirely at issue with them, — I believe that they have done a gross wrong to the people. Suppose for one moment, and I do not at all admit it that there were any circumstances to justify that course, — what in the opinion of members can justify the action of the government in giving to an individual, whatever his position, without the pretence of satisfying the requirements of this law, the entire contract for this line? It was bad enough in the first instance to relieve the contractors but it was ten times worse to give it to Mr. Fleming simply because he was Mr. Fleming — such a contract is a gross violation of the law, in derogation of the rights of parties who were prepared to tender for the work. We are not to be told that the action of the leader of the Opposition in this case is prompted by disappointed intending contractors: — they may be disappointed contractors but they had a right to feel disappointed — they had peculiar rights in respect of that work, passing through the country in which they resided, which ought not to have been disregarded. There were men in Pictou prepared to tender and prepared to furnish the necessary security for the performance of that work which Mr. Fleming has privately received. Their rights have been trampled upon and it is but right and rational that they should feel disappointed. How did Mr. Fleming obtain this — I will not call it, contract, because that would be recognising a violation of the law and because this agreement drawn up by the first Crown officer in the country though it may be is not worth the paper on which it is written. Every dollar taken from the treasury on pretence of its provisions, is improperly and illegally taken, and the disbursement of which nothing can justify. I cannot understand how any Receiver General or any other public officer, even of higher station, can for one moment sanction the issue of a warrant going to take from the treasury one penny of the money demanded for this service. I speak on this subject rather strongly, but I entertain a strong opinion that I am right; — it certainly became the Attorney General more than any other member who has spoken to have made the legality of the transaction as clear as the sun at noonday, but some gentlemen are apt to pass over strong and leading features in a case, and to keep attention bestowed upon inferior topics, — such was the course of that gentleman — this part of the case he completely slurred over and he did not attempt to tell us that the action of the Government was such as the law could justify. He

did not do so for the best possible reason — because he could not make such a statement to the House, — because having, as I know he has, some respect for his professional reputation, he would not hazard it in an opinion so inconsistent with the circumstances of the case, and so untenable in every respect. The Attorney General then having said nothing upon that point, it must be concluded that he found himself in a corner from which he could not possibly escape. I pass on to allude to the first introduction of Mr. Fleming to the Pictou Railway and in doing so I may remark that it seems to me a curious circumstance that this government should seem so exceedingly desirous to have the line completed by the early part of May, 1867. There are those here who can revert to a former period, and who will remember that May, 1863, was the period when this Assembly came into existence, consequently the date of its termination will probably be about the 1st of May, 1867; — it seems by these papers to have been an anxious consideration on the part of the government that the work should be completed about that time, — some of us have been looking to that period with more eagerness than others, and have been of opinion that the term of this House should conclude at a date considerably prior to that, but there is another section of members who do not feel disposed to anticipate that period and will be better satisfied if a dissolution takes place then. This latter class is particularly anxious that by the time that May, 1867, arrives this work should be in a condition to be presented as the special work of the existing government for which the people should be grateful, and in consideration of which they should be disposed to overlook other transactions in which the government have taken part without giving any satisfaction to the country. In order to accomplish this object then, the contractors who, by the statements made at the other side, would appear to have been rather slow coaches, were relieved of their duties, and their securities were relieved of their responsibilities, and the work virtually came into Mr. Fleming's hands in October, 1865, for we find him then using to the government language which is rather strong coming from a subordinate to his superior; he says: — "I would stipulate as an indispensable condition that I should have full authority to act from beginning to end in the prosecution of these works upon my own judgment." I certainly think that this is strong language for a gentleman in Mr. Fleming's situation, and I hope that before the work is completed that gentleman will somewhat modify his tone and come to a better understanding of his position. On the 30th October his letter is addressed to the Provincial Secretary, and on the following day the government, being almost as clever as himself, with the consideration of a single day decide to adopt his suggestion. So the affair goes on with various interesting communications until December 28th when another gentleman, Mr. McNab, appears on the stage and receives on that day a letter from the government. That letter does not at all correspond with the version given of it in the speech of the Provincial Secretary. The letter reads thus: "I

have it in command, &c., to request you to *examine* with as little delay as possible *the present condition of that work* in order that you may be able to report whether *in your opinion* it would be for the public interest that the government should accept Mr. Fleming's offer, &c." But in the speech of the Provincial Secretary the other day, in which he was corroborated by the Hon. Attorney General yesterday, we are told "Mr. McNab was not called upon to survey the Pictou Railway, but had placed in his hands by the Railway Department all the data required to form a judgment—The work he had to perform did not require much time, but could be done in a few days."—If any one can trace a similarity between that letter and that speech it is more than I can conceive possible. I presume that after the address of the leader of the opposition on that feature of the case it was thought necessary to use such language. If it be a fact that Mr. McNab was merely called upon to go to the Railway office to examine certain estimates and dates then the government were grossly neglectful of the interests of the country, but charity inclines me to believe that they took the other course and directed him to examine the present condition of the work. How could he have done so being in Halifax all the time, or how could he suppose he flew by telegraph, have made that careful and particular survey which it was intended he should make before the 2nd January for we find him then in Halifax. Did he then make this sham investigation by a reference to the papers in the Railway office or did he make the exact survey required by the Prov. Secretary's letter by going over the line? But the government alter this examination which they must know was nugatory and worthless decided to act upon his report and then come the celebrated "articles of agreement made and concluded at Halifax, in the Province of Nova Scotia, this tenth day of January in the year of our Lord one thousand eight hundred and sixty-six, between Avar Longley, of Halifax, aforesaid, Esquire Chief Commissioner of Railways, for said Province, acting for, and on behalf of, the Government of said Province, of the one part,—and Sandford Fleming, of the same place, Civil Engineer, of the other part."

It is a curious feature in this correspondence that in a matter in which we would have supposed that a public officer holding the position of Commissioner of Railways, receiving a handsome salary, and as such, incurring a very large responsibility would have been prominent, he up to this stage of the transaction was utterly ignored, and suffered himself to be ignored.—Mr. McNab seems to have been an individual much higher than Mr Longley in the estimation of the Government; even Mr. Fleming was corresponded with, but Mr. Longley, the Chief Railway Commissioner, is left entirely in the shade. This agreement then which, as I have said, is not worth the paper upon which it is transcribed, was entered into nominally between the Commissioner and Mr. Fleming, Mr. Longley having in reality nothing to do with it, the Government having managed the entire business with Fleming, and Mc-

Nab for that purpose acting as their agent again. What ought to have been the duty of the Government or its officers in whose department the matter was, in relation to this contract for which, no doubt, the Province has paid a very nice fee? Supposing that they had a right to make the contract at all, they should have put upon paper in the most specific and unmistakable manner what the agreement was to be, what duties were to be performed under it, the stipulations that were necessary, and the funds and securities it ought to contain. I think that if those who are in the habit of inspecting contracts were to look at this, they would find that far less care and particularity had been bestowed upon it than would be observed by a professional man of the most inferior attainments in a matter of the smallest moment. We find things left in a general and undefined way, and matters stated in very loose terms. One very striking part I deem it necessary to call attention to, that is the portion which relates to the steam ferry and landing wharf at Pictou and Fisher's Grant. It says:

"That a Steam Ferry and a Landing Wharf at the town of Pictou, and another at the present Ferry Wharf at the place known as Fisher's Grant, shall be made and furnished by the said Sandford Fleming, in accordance with plans hereafter to be prepared and approved by the Chief Engineer aforesaid."

If it be intended that the plans shall be prepared by the Chief Engineer why use the term "prepared and approved" but I understand the construction to be that the plans are to be prepared by Mr Fleming and to be approved of by Mr. McNab. It thus proceeds:—

"The expenditure on these services shall be equal to the sum of thirty thousand dollars; and that this service shall be ready for use by the Spring of 1867."

There are gentlemen in this House who are connected with ship building and I ask them would they risk the construction of a very small schooner on such a loose specification as that? Yet this matter is left as it were entirely in the clouds nobody but Mr. Fleming knowing what sort of a boat we are to have or what kind of a landing we are to have. And what kind of ferry wharf is to be is equally uncertain but for this service Mr. Fleming is to receive \$33,000, and what is the Province to receive in exchange? This is what the people desire to know and what should have appeared on the face of this paper. I am not acquainted with ship building but being on a Committee the other day a matter came before us in which it was necessary to ascertain the cost of a vessel for the protection of our fisheries and it is no secret that the purchase will be far over \$20,000. It is true that the boat for the ferry may be a vessel of a different description but if I am rightly informed it will have to be one of a pretty substantial and costly character with expensive machinery for she is to carry heavy cargoes. For \$30,000 we are to have all this,—now it may be said that we are going to get it at a very cheap rate but cheapness and dearness are relative and equivocal terms. This description of work and property might be got for \$30,000

but the description that would cost only that sum is not what is required for the purpose of this railway. We therefore came back to this, that here is an important clause in the contract left in an indistinct and a very unsatisfactory state, and it should not have been left in that state for in matters of far less consequence a great deal more particularly would have been observed.

"That at least two of the Engines not in use by the Railway Department, and a sufficient number of Platform Cars, shall be furnished to the said Sandford Fleming for Ballasting the road-bed, and for hauling materials for construction purposes. That the said Sandford Fleming will pay all wages, fuel, oil, and (or all) current ordinary repairs required for the use of the said Engines and Cars; but he shall not be required to pay any compensation for the hire and use thereof."

Is this a fair treatment of the men who, having emigrated to this country, having cleared the forest, and having conducted themselves as worthy members of society were desirous of engaging in the work? Was it fair to place Mr. Fleming in a position more advantageous than theirs when they were contractors? This appears to me to be making fish of one and flesh of another. Mr. Fleming is to have at least two Engines, how many more we will no doubt find out before very long, their wear and tear is something, but for this he is to pay not a penny—poor Bluenose is to be the sufferer, while Mr. Fleming is to be Railway King in Nova Scotia. He is to triumph over everybody; the "disappointed intending contractors" shall be nobody's—their feelings, their rights are to be entirely ignored and disregarded, while everything is to be done for the great Mr. Sandford Fleming. Another share of pickings is bestowed upon him in another clause which says:

"All materials required to be taken over the existing Provincial Railway to Truro, for the purpose of construction, shall be carried as it may be required."

"Again, that all men in the employment of the said Sandford Fleming, and moving in the actual performance of duty or travelling to the works shall be carried free of charge over the existing Railway."

Further on we find it provided, "that all materials imported for construction purposes shall be admitted duty free, and that the use of the loading wharf and station at Richmond shall be given to the said Sandford Fleming."

These privileges must surely be worth something considerable. Another clause of the contract reads thus:

"Station Accommodation—Which includes the erection of way stations and terminal buildings for freight and passengers, the construction of platforms the cost of engine houses and turn-table, the cost of tank-houses and water service, the erection of wood or coal sheds, and all other expenses at stations or termini."

For these works Mr. Fleming is to get \$2,116,590 and they are to be performed just as he pleases because the contract binds him with no particularity at all and without any other security than these words contain:

"It is further agreed that ten per centum of the value of the work hereinafter to be done under this

contract shall be retained by such Commissioner, for such periods as, in the opinion of the Chief Engineer, shall appear necessary to secure a due and faithful performance of this Contract."

But this, I maintain, is no security at all, for it goes on to say:

"It being understood and declared that such reservation of ten per centum shall only be deemed necessary, on such sections or portions of the work as are actually in process of execution, and shall not be withheld on such portions or sections of the work as shall be executed and completed."

Mr. Fleming may entirely neglect the difficult portion of the work. There is nothing here to bind him to do the work on the more expensive sections, and no security for such a performance is given here. Here, then, is a monstrous injustice, in pretending to have a contract entered into for such an enormous sum without any provision for any real security. We have heard something about gentlemen being hounded on to make the opposition that has been evinced, but I would ask in view of all these facts, is any hounding on necessary? What, sir, would the people of Nova Scotia say, if, after such a transaction being made known, we, their representatives, failed to take notice of it? I think we would have been unjust to ourselves, as well as to the country, if the course pursued by the Leader of the Opposition had not been adopted. The Attorney General intimated that there was but a fragment of an Opposition in this house; let me tell him that the day is coming and is not far distant when he will find it necessary to use other language, and to make suitable and courteous allusions to gentlemen on this side. It was ungracious in the extreme for any gentleman opposing the resolution to use any taunting expression in reference to members of the Opposition, who have given this very measure, for the extension of the Pictou railway, their hearty and disinterested support. I can revert to the day in 1864 when this measure was before the house, and I do not hesitate to say that had it not been for that support this Pictou railway would not have had a shadow of an existence to-day, for the government could not on that occasion command a majority of their own supporters. To our support and to the scheme for western extension, which was found necessary for the purpose, the success of the measure is referable. It is a curious fact in connection with this discussion that no gentleman, excepting one, unconnected with the government or not immediately dependent upon it, has risen to defend its policy. It is true there was one *amicus curiæ* to come to the front, and his remarks showed a good disposition on his part,—he did the best he could, but I think he touched upon some points which he should have avoided. I will not, however, just now, weaken the effect of his good-natured support by many comments, but will pass on to allude to the Attorney General's remarks, and to some of the remarks made by the Commissioner of Railways. If, indeed, the gentleman who addressed the house holds this latter office, which is a matter of considerable doubt, seeing that in the management of this work his existence has been ignored. I regretted to hear these gentlemen speak in general terms of the conduct of the present Administration, and its value as contrasted with governments of times gone by. I think that any gentleman attempting to excuse the shortcomings of

the present administration, by referring to those of others, places himself in an unfortunate position; besides former governments are not now upon their trial, as this one is. As I regard such matters the gentlemen entrusted with power should carefully avail themselves of the experience of their predecessors, and make use of that experience to steer off the shoals and quicksands on which other administrations may have struck, and to take a course more in accordance with the public interests. The hon. Atty. Gen. alluded to some of the causes of the dissatisfaction which prevails throughout the country, and seemed to think that the exasperation on the subject of the Education law might be safely overlooked, and he also alluded to another question upon which the people are manifesting considerable interest—the proposed union of the Provinces, but there were several matters which he entirely lost sight of, and one of them was a matter upon which the hon. member for Inverness, Mr. McDonnell, should take a considerable interest, one in relation to which that gentleman should bring his friends to book. While he might be disposed to overlook some of the transgressions of the government there are certain acts of omission, not of commission, which deserved to be spoken of—and particularly by him. I will not say that the circumstance had any connection with the kind and good natured remarks of the gentleman to whom I have referred, but it is well known that there has long been a *hiatus* in the other branch of the Legislature, and upon this point I think the hon. member ought not to hesitate to demand a decided and satisfactory explanation. How is it that that vacancy has remained unfilled for the last twelve months? I ask the gentlemen from the Eastern portion of the Province to account for that. I ask the members from Cape Breton to account for it, and while, as I have already intimated, I should be sorry to suppose that it had any influence upon the hon. member for Inverness, there are some of us who should not allow the members of Government to laud themselves without reminding them that there are strange objects in the road they are travelling, and it is especially the duty of gentlemen representing the constituencies which this vacancy has affected, to be slow in giving any meed of praise to the administration in its present position. There is another part of the subject into which I should, but I should not be justified in any other course after the remarks of the hon. member to whom I have just referred, for he told us that lawyers are not financiers, and seemed to think that none of our profession should meddle with figures—as far as figures of speech would go we might have the full length of our tether.—If that idea be correct how is it that he tolerates a lawyer in the position of Financial Secretary? How is it that he can support and uphold a Government having over one of its most essential departments a gentleman who by virtue of his profession is no financier? We know that the success of a Government to a large extent, depends on its financial management—how, then, does he reconcile to himself that at this moment, two-thirds of the administration are like himself—lawyers and not financiers? How is it, too, that a lawyer was selected and sent abroad upon an expensive and

unauthorized delegation in matters of a purely commercial character? But, notwithstanding what the hon. and learned member has said, I firmly and honestly believe that if there is a man in this House or in the country capable of successfully dealing with that branch of the subject it is the hon. and learned leader of the Opposition. I will leave it to him to make a *figure* of the administration. The matter having now been discussed threadbare and *ad nauseum*, I will relieve the house from giving me further attention, and shall now take my seat with the satisfaction of knowing that, in a very humble way, lawyer as I am, and being unable to deal with the figures, or even with many figures of speech, I have given expression to my views on this important question. If ever there was a gross violation of law committed by a government or by an individual this is that case. I believe that there was nothing to justify the government in relieving the contractors and their sureties from the performance of the work they had solemnly contracted to perform. I believe further, and more than all, that there was nothing to justify the government in entering into this so-called contract with Mr. Fleming, nothing to justify them in dispensing in his case with that security which the law requires. I shall now leave the matter in other hands, feeling that the resolution before us is one that deserves the concurrence of this house. If unhappily it should meet with insufficient support I fairly believe that the day will soon arrive when every word and letter that it contains will be cordially and convincingly responded to, and confirmed by the people of this Province.

SPEECH OF HON. MR. SHANNON.

Hon. Mr. SHANNON said—As one of the culprits brought before this Assembly and the people of this Province in connection with this transaction, I may be allowed to make a few remarks in defence. The hon. gentleman who has just addressed the house commented very strongly on the fact that no person except the members of the government, had addressed the house in support of the arrangement with Mr. Fleming. But I ask who are the parties assailed? An impeachment has been brought against the government; high crimes and misdemeanors have been charged against them. Who, then, are the persons to make the defence to this house and country? Surely the members of the government—and as one of those members I am desirous of expressing my views—I am not at all surprised that the leader of the Opposition should seize upon this matter, as a favorable one to bring gravely before the public. It has been a common enquiry for some time past, whether her Majesty has any Opposition in this house; and hence, then, it was necessary to show not only that such an Opposition existed, but that it had actually a leader. The resolution now on the table may be considered as intended to give an answer to that enquiry. The hon. leader of the Opposition, in conducting his impeachment, has used language of the strongest and most vituperative character. I will not go over the details of this language, but will merely content myself with saying that the substance of it was that members of the government are rogues, that Sanford Fleming is a worse rogue than any of them, and

McNab is a fool. If the hon. member can make these assertions good, then let the resolution pass. I do not know what the hon. gentleman's idea of rogues may be, but this I will say, that if to spend a large portion of most valuable time in the service of the public without the slightest remuneration whatever is to be a rogue, then there are rogues in the present government. If to give the best judgment, it may be sometimes an erring one, to the consideration of important public questions,—and they are yearly increasing in number and importance as the country progresses—without any reward, but the consciousness of the performance of a patriotic duty—if this is to be a rogue then there are rogues among the members of the present government. But is Sanford Fleming a rogue? If he had been entirely a stranger to us—brought from across the water and without character, then the hon. gentleman might make the insinuations he has made, that the Chief Engineer had concocted a plan with the assistance of others to obtain possession of the Pictou Railway. If we had brought a man without any established reputation, one who was not known either in Canada or to the British Government, and given him one of the fat contracts referred to by the hon. member for North Colchester, then the hon. gentleman might have some basis for his arguments. But Mr. Fleming, is known to this house, and has a reputation which places him at the head of his profession in British North America, and therefore is not likely to be engaged in a nefarious transaction. The hon. member for Inverness (Mr. Blanchard) himself acknowledged that the only thing that stands between the Province and harm is Mr. Fleming's character. I know, too, that an hon. gentleman in another branch of the legislature and in the Press—one who is intimately connected with the hon. member, had alluded in terms of encomium to the course pursued by the government in this particular.

MR. BLANCHARD—No, No.

Hon. Mr. SHANNON—I can prove it by the papers of the day, but it is of no great importance, and I pass on. The hon. member for Colchester seemed to me by the tone of his speech to be in the position of a counsel who has a bad case, and is obliged, in his effort to obtain a verdict, to damage the reputation of the defendant and of all the witnesses. The hon. gentleman has done his utmost to destroy the character of the members of the government and of Mr. Fleming, and then he proceeded to throw a stigma upon another gentleman, who, he knew, was a disinterested witness. Now, it is not of so much importance what he may say of his opponents in this house, for one is apt by use to become somewhat hardened; but when he attacks, in an unfair manner, a young man who is unable to defend himself here, and who depends on his reputation in the practice of his profession for his livelihood, it is most unwarranted. The hon. member would have the house believe that Mr. McNab is a fool because he considers it impossible for any engineer, in two or three days, to give any thing like a correct report. Now, I do not profess to know anything about engineering, or whether a clever engineer would not be able in a very short time to make up an accurate report on a question when all the facts were laid before him; but I know what would

be the case in legal matters. Suppose a client were to employ me to conduct a case of ejectment in the county of Colchester, and he were to say to me, Mr. Archibald is a lawyer of high standing in that county, and well acquainted with the titles to lands in it, you had better go to him and get his opinion relative to the question. What would be my course? I would collect the facts and the law bearing upon them, and lay them before the hon. gentleman, and I do not think he would require three days or even 24 hours to give his report, and I presume that the same thing would happen in the case of engineering matters.

Let me now state to the House, very briefly, my own impressions, with respect to this question. As respects the Pictou Railway scheme I can only say that I have never had intimate acquaintance with the Eastern part of the Province; my connection, outside of the city, has always been with the West; and my feeling would have gone in favor of the Trunk line, or the Annapolis Railway, but it was very evident to me that if there was anything essential to make our present Railway more remunerative, it was the extension Eastward to the waters of the St. Lawrence. I felt the full importance of having a railway to the borders of New Brunswick and the West, but at the same time I felt that the progress and resources of the Eastern part of the Province, rendered extension to Pictou of first importance. More than that, I felt that the Government had given a pledge, when they were formerly in power, that they would proceed with this road at the earliest moment the finances of the country warranted it. When the measure had passed the House, I paid little attention to the progress of the road, knowing that it was in the hands of one of the ablest gentlemen in this House, the member for the County of Pictou, who was the Commissioner of Railways, and specially interested in the speedy construction of the road. It was not long, however, before I found that the contractors were coming to the government and making complaints—that they could not obtain labour, for it was not in the country. The government did not exhibit any determination to act stringently with these men, but assisted them as far as they could. Labour was brought here, and I hoped the work would then go on satisfactorily, but it was soon apparent that a failure was imminent. One contractor gave up his contract, and then the government, in accordance with law, put on the auction to tender again. No less than 23 tenders came in, and it was obvious that if they were accepted, the result would be ruinous to the country. The expense of the road would be so largely increased that we would not have the means to make arrangements for the construction of the Annapolis and Trunk railways. Now I would ask gentlemen to turn their attention to the new Provincial Building across the way; it was placed by the late government in the hands of as able men as can be found in Halifax, and it ought to have been finished by this time; but it was put up to tender and contract, and after a time the contractor found he could not complete the work at the price stipulated. The building has again been put up to tender, and the result is that the cost is largely increased over the amount at which it was supposed it would have been constructed. This

is an illustration which will enable gentlemen to see what would have been the result had the Pictou Railway been a second time given to tender and contract. Under these circumstances two members of the Government went over the line and saw that years would elapse, under existing arrangements, before the road would be finished. The Chief Engineer was then called upon to report as to the condition of the work. His report, and all the papers connected with the subject, up to the present time, are now before the House. The engineer reported that the road was not progressing as it ought to be. He was asked to take it out of the hands of the contractors and release their sureties. The hon. member for Guysboro' says that the Government should not have pursued such a course, but should have forced them to go on with the work, or come upon their sureties. We know, however, that some such plan was tried years ago. The contractors came to the House, and got every penny they asked; and a similar result would have happened in the case of the Pictou Railway contractors if the course suggested by the hon. member had been pursued. We thought it would be better to take the whole matter into our own hands. We paid the contractors for the work they had performed and discharged them. Mr. Fleming then went on with the work for some time, but it was very soon evident that this course would not be satisfactory. Gentlemen on the other side of the House would endeavor to allow the impression to go abroad that Mr. Fleming had purposely made the contracts so hard that it was impossible for the contractors to go on with their work, so that he might get the contract. But if he had any sinister design in view, would he not have come forward himself when he had driven everybody off the course, and offered to take the contract. The fact however is, that the offer first came from the Government.—Finding it imposed upon us too great a responsibility to carry on the road, as a government work, we asked Mr. Fleming if he would be willing to undertake it himself as a contractor. Having considered the subject, he agreed to perform it for \$100,000 less than \$2,216,500—the original estimate. It has been said that the government have made a bad bargain; I shall not go into figures, but it appears to me that we have made a satisfactory arrangement in obtaining a superior road at \$100,000 less than we thought it would have cost us when the original estimate was made. The hon. member for Colchester denies this, and says this contract was based upon an estimate that was not at all accurate, and that we shall get an inferior road at an increased price. I cannot see this. But as far as I can understand the subject, I believe there is no danger of Mr. Fleming not giving us a road fully equal to what has been expected by the Province? We know that the portions that have been built are of a superior character, and that Mr. Fleming has agreed to complete the whole road in the same style. Mr. McNab corroborates the opinion in his report. He shows more than this: he shows that Mr. Fleming has taken the contract for far less than he should have taken it, and that if he succeeds in his work, it is through his superior skill and experience as an Engineer. Now

this Pictou Railway is not a new story, and we have had other Estimates than those of Mr. Fleming and Mr. McNab on the subject. Mr. Laurie years ago estimated the cost of the road at £12,000 a mile, or £520,225, including rolling stock. This remember is for a road to Abercrombie Point, several miles less in length than the one that is now to be constructed. Therefore it will be seen that the bargain we have now made is an excellent one, when compared with that estimated by Mr. Laurie. As respects the legal part of the question, I will frankly say that if we had acted in strict accordance with the letter of the Statute, we should have again put the road to contract, but we felt if we had done so the interests of the Province would have suffered. The necessities of the case obliged us to pursue the course we have. As respects the statement that there is not sufficient supervision of the work, let me answer that there will be Inspectors on that road, such as no man ever had before. Every disappointed contractor will appoint himself supervisor of the character of the work done by Mr. Fleming, and not the slightest change or accident will occur without being duly reported in the public press. Some years ago I had a seat as one of the members of the Railway Board myself, and who does not recollect that nothing whatever could then happen on the road—not a slide occur, not an engine slip off the track, not a stone fall from the culvert, but the facts were paraded at once in the "Morning Chronicle." So we may be sure that there will be people found ready enough to carry intelligence to the same quarter, whenever they have discovered anything worth telling against Mr. Fleming and the government will be held responsible. But then, says the hon. member for Guysboro the railway is to be finished at the time when another general election is to come off. All I can say is that from the outset the government have been sincerely desirous of having the line completed as soon as possible—previous to the Spring of 1867 if practicable. But then there is this dreadful secrecy used by the government. It is very satisfactory to know that a government can keep a secret. The course pursued by us was necessary for the protection of the public interests, and the moment the house met, we came here and made the fullest explanations on the subject. If the government had attempted to keep the whole facts of the case from the knowledge of the country, then there might have been some reason for the statements made by hon. gentlemen. The great object with the government is to have the road built as well and cheaply and expeditiously as possible. We all know that its completion will largely facilitate the large mining operations that are now in progress in Pictou County. But we are told by the hon. member for North Colchester that this is such an unpopular government, and a good deal has been said on this point. This, so far as I can see, has nothing to do with the question at issue, but suppose it is so, which I am not prepared to admit so far as my constituents are concerned, let me observe that if to carry out measures of great public importance, such as no government ever attempted to grapple with before—to improve the education of the country and to advance its material and social welfare in every way possible—brings unpopularity,

then I do not regret it. If the great questions that have been discussed in this house are to destroy the government, then let it be so. I shall feel at all events that we have done our duty. Again the hon. member for Guysboro' ridiculed the idea of a lawyer dealing with questions of finance, and especially referred to the Financial Secretary. All I need say is, that if success in financial administration is to be the criterion, then the people have every reason to be satisfied with the present incumbent of that office. He may be a lawyer, but he is able to show that the finances of the country were never in a more prosperous condition than they have been for the past two years. In concluding these brief remarks, I shall only add that the present was one of those grave questions where the government were forced to assume a large amount of responsibility. Any man in private life, situated as we were, would have acted in precisely the same manner. And I believe when the people have all the facts before them and understand the question thoroughly, they will heartily approve of the course we have pursued with the sole view of promoting the best interests of the country.

Hon. PRO. SEC'Y. said that as there appeared to be a difference of opinion between the hon. member for Inverness (Mr. Blanchard) and the hon. member for Halifax (Mr. Shannon) as to the opinions of hon. Mr. McCully, he would read from the official report of the debates of the Legislative Council the following extract from the speech of that hon. gentleman:—

"Hon. Mr. McCully was bound to confess that, in the main features of the transaction, which had just been detailed, the Government had discharged the duty devolving on them with a degree of despatch which did them great credit. His (Mr. McCully's) acquaintance with these public works was such, that he was not surprised to find that contracts had been taken by some of these contractors, which in their hands would be disastrous to themselves, but in the hands of experienced men would be profitable. He was glad that the Government had assumed the responsibility of putting the road through to Pictou in the most efficacious manner."

Again, on a subsequent occasion, the hon. gentleman had observed:—

"Hon. Mr. McCully wished to put himself right with regard to the Pictou railway. The estimate of the cost of that road was originally made from a carefully prepared description of the quality of road to be built. Mr. Fleming estimated it to cost \$2,461,000—but that at a maximum. The work was let under Mr. Fleming's own specification, and he went on until several of the contractors became bankrupts, and it was evident the work could not be finished by them. Mr. Fleming was then asked if he would undertake the whole work, and he had agreed to do it for \$2,110,000, and the Government gave him the contract at that rate. The only allegation that could be made against the Government for doing this, was that the contracts should have been re-let. If the Government had no more sins to atone for than this, he should make no complaint against them. He wished that they stood as well with regard to their other railway contracts."

It would be seen, therefore, added the Prov. Secretary that the hon. member for Halifax would have been justified in using stronger language than the very guarded expressions he had actually used.

Mr. BLANCHARD said that he did not understand why the hon. Prov. Sec. should interpose his championship of his friends in the

way he was constantly doing. The hon. member for Halifax had not expressed himself guardedly on the subject, but had said that Hon. Mr. McCully had fully endorsed the course of the Government both in the Legislative Council and in the Press. The fact was the hon. gentleman in question had spoken with this condition, that the arrangement might be a good one if the road was built as under the original specification. The *Unionist* had denounced the appointment of Mr. McNab as most injudicious. Mr. McCully approved only of a part of what they had done, and expressed his fear that they had not observed the necessary checks and guards.

Hon. Mr. Shannon said he was of the impression that he had not used the language attributed to him by the hon. member for Inverness.

SPEECH OF HON. MR. MCFARLANE.

Hon. Mr. MCFARLANE said: This debate has already proceeded to such a length as to remind us of the long discussions of former years. The hon. member for Colchester has thought it necessary to lead on an attack against the government, and used language that was by no means worthy of one holding so prominent a position in the Legislature. I can only say, however, as a member of the government, that I do not regret that this attack has been made on the present occasion. It has been openly promulgated through this country that the government had bartered away the public interests—that they had made arrangements to put money into the pockets of the contractor, at the expense of the country. The result of this debate, I confidently believe, will be to dissipate any misconception that may have existed in respect to the character of this arrangement.

This is the first time in my knowledge that a government in this country has been charged with flagrant corruption. The hon. leader of the Opposition did not do more than insinuate it, but the hon. member for North Colchester, (Mr. McLelan) came forward and asserted without hesitation that there was something very bad in the affair—he would lead the house to believe that the country was in a most dangerous position whilst the present government administered its affairs—that we ought to be in the culprit's box instead of holding our present position. It is said we have violated the law. This I deny; but I cannot see how we could have made any other arrangement that would have protected the people's interests so effectually. Suppose when the contractors stated to the government that they could not keep their engagements—suppose when we found that if we re-let the road under the second tenders offered, the cost would have been increased to the extent of \$200,000; Mr. Fleming had come forward and expressed his willingness to do the work for the price he has now contracted for. Suppose we had refused his offer, and then the Legislature met, and the hon. member for South Colchester asked us to lay on the table all the papers connected with the construction of the Pictou railway, including the private offer by Mr. Fleming, then I would like to see any Government endeavoring to shelter themselves under the plea that they could not accept an offer so advantageous to the Province because it might

be in violation of the letter of the law, although within its liberal construction. It would be said that we had imposed heavy burthens upon the people under the pretence of observing the law. In what position would a man stand in this country under circumstances such as these? The government, I contend, have acted as they ought in the peculiar situation in which they were placed. The hon. member for Inverness gave up the whole case when he acknowledged that nothing would justify the government "except the peculiar circumstances in which they were placed." Reference has been made to the contract for the Provincial building across the way. Suppose when the contract was given up, another contractor came forward and said he would show us how to save a large sum of money. Would we be justified in accepting another tender? Would not the Commissioners be authorised to close with an offer that was most advantageous to the Province, even if it was not in strict accordance with law. In all cases where the government feel that they can save the public money they are justified in assuming such a responsibility as we have now taken and rely upon the Legislature to sustain them. That is the position which the government occupy, and I believe it will be found that we have ensured the speedy construction of the line to Pictou, at a far cheaper rate than we had reason to hope for under all the circumstances. I believe if we had not accepted Mr. Fleming's offer but had gone on with the road under contract, or as a government work, the cost would have been so greatly enhanced as to prevent us entering into arrangements for the railway to Annapolis and to the borders of New Brunswick.

The hon. member for North Colchester spoke in quite a theatrical style. He depicted all the misfortunes that had fallen on the contractors in a most touching manner—alluded to starving families, and aged heads bowed with grief and poverty. I could not think that such things would happen in the charitable county of Pictou, and was therefore not surprised when looking at the hon. member for East Pictou, I found his countenance unusually radiant, as if he were much amused at the tragic vein of the hon. gentleman. Then, I said to myself, these poor contractors are quite safe. Who does not know that these contractors came to the government day after day and stated the difficulties of the situation in which they were placed—that if they were driven on with the work, they would be hopelessly ruined. Why did you not enforce the contracts, says one hon. gentleman, or come upon the sureties. If we had come upon the sureties, would that have forced the contractors to do work which they had not the means to perform. They had reached the limit of exhaustion, and could not be forced to go any further. Even if the contractors could have gone on with the work, it must have been in such a manner as to delay the completion of the road for years. I have no fear of the disapprobation of the people when all the circumstances of this question are fully explained to them, and they are enabled to look at it in its true light. When the people of Pictou see that the pledge given to them—that they would have a superior road opened at an early period—is redeemed they will justify the

action of the government, as having been done in the interests of the Province. Let it be remembered too, that in making this arrangement, we have placed ourselves in a position to make that further extension of our railways, West and North, that is so earnestly desired by the people of this Province.

I believe that the time spent in this debate has not been thrown away, for the reason I gave before, that it will relieve the country from the misapprehension that may have existed in the minds of many persons, as to the nature of the contract with Mr. Fleming. I have no intention of following gentlemen into the labyrinth of figures into which they have gone. It is sufficient for me, as I believe it will be sufficient for the country to know, that the sum we are to have the Pictou line constructed for is below what any one thought it would be done for. Gentlemen are aware that Mr. Laurie estimated a road to Abercrombie Point, of less length than the present line, would cost upwards of Two Million of Dollars. The present road is not only longer and superior, but is carried through a section of the country of a character most difficult for railway operations, for the purpose of developing a large coal trade. I therefore think that the government will have no cause to regret the course they have pursued in a matter with which the people's interests are so deeply connected.

SPEECH OF MR. MCKAY.

MR. MCKAY.—The matter which has been before the House for the past few days has elicited a good deal of comment from those who have given it their attention. It appears to be the opinion of many that something is wrong in connection with the Railway, and my own knowledge of the matter has led me to some extent to take the same view. At the same time I do not go as far as some who have spoken. I wish to lay the blame where it properly belongs. I do not lay much of the blame upon the Government, for I believe that they have been led into the difficulty by their subordinate officer. Mr. Fleming appears to me to have acted throughout as if he were the Government. Some time ago I made the Government acquainted with the fact that there was something wrong in connection with our Railway, but receiving no answer I did not speak again on the subject till I came to Halifax, and was informed that Mr. Fleming was the contractor. At the outset I will remark that the House is aware that I disapproved of the manner in which the location of the line was determined. I always had confidence in Mr. Laurie as an engineer, and as an honest and practical man; if I had been consulted he would have been the gentleman employed and not Mr. Fleming, notwithstanding all the credentials which the latter may possess. Credentials on paper are very good, but an engineer in theory and an engineer in practice are very different, and that Mr. Fleming is a practical engineer remains to be proved. I must say that I think the law which passed in 1864 in connection with this extension has been ignored. Mr. Fleming, in urging the adoption of the present route stated, among other reasons, that it would save the building of half a mile of road, and the erection of an expensive bridge, in view of future

eastern extension, and it is possible, that in the course of time, the line to Fisher's Grant may meet that object, but for the purposes contemplated by the Legislature in extending the road to Pictou harbor, such a course was altogether unnecessary, and I think that an engineer who would locate the line with a view to such remote benefits is not the man we require. Another reason given for the location was that the shipping facilities at Fisher's Grant were superior. But such is not the case, because the chart shows that the deep water at Abercrombie Point is nearer the shore. I asked Mr. Fleming myself if he sounded the water at Fisher's Grant, or at the place where the wharf and terminus are to be built, and his reply was, that he had not done so, and could not tell the depth although it is a fact that it will take a pier half a mile long to enable large vessels to be loaded. These reasons then were not in my opinion, sufficient to justify the choice. Again on this line No. 8, after 7 or 8 miles had been located a portion of the line, for a considerable distance, was abandoned altogether, which should not have been the case if Mr. Fleming had carefully examined all the lines as he said he had done.

The Report of Mr. Fleming on the 24th of November states the cost of the road, describing the several species of work at \$2,216,500, but on the 6th April, 1865, he made a Report stating that the road was reduced in quality and quantity so as to bring the expenditure as near two millions as possible, and he said then that he had already reduced the grades and curves so as to make the amount if not within at least not greatly to exceed that sum. I do not see why Mr. Fleming in his future letters made use of that sum \$2,216,500. If he had offered to take \$100,000 within that last estimate (2,000,000) he would have been acting with consistency. So soon as I glanced at the figures I saw that there was an attempt to mystify, and I think that whether intentionally or not, Mr. Fleming has succeeded in mystifying the Gov't. In considering Mr. Laurie's estimate we must compare the road contemplated by him with that which Fleming contracts for. Mr. Laurie's line would be, with the branch to the loading ground, in round numbers 43 miles. I will refer also to the items, because I think it was disingenuous in the Railway Commissioner in telling us that Laurie's estimate was for £12,000 per mile, not to refer to those items. Mr. Laurie's estimate is as follows:—

Grading masonry, and bridging.....	£308,575
47 miles of railway superstructure, including an allowance of 4½ miles for siding,—	
£2400.....	112,800
Station building and fixtures.....	8,500
Locomotive engines and cars.....	31,850
Wharves and ferry boats.....	8,000
Contingencies, including engineering.....	12,500
Add interest during construction.....	35,000
	£520,225

The above estimate includes the 40½ miles of road from Truro to Abercrombie Point, with a branch of 2½ miles to the Coal Loading Ground; also wharf and Ferry accommodation at Pictou.

Deduct from this sum what Mr. Fleming is not required to furnish by his contract:—

Locomotive engines and cars.....	£34,850	
Interest during construction.....	85,000	69,850
		£450,375

The road contemplated to be built for the above estimate, would be superior to the railway already built within the Province, in respect to gradients and curvature, and also greatly superior to the road to be built by Mr. Fleming. The heaviest grade on Mr. Laurie's line is 5¼ feet per mile for 3 miles, and with the exception of one more mile, which is 44 feet, the rest of the line ranges below 30 feet per mile, and the least radius of curvature is 1500 feet, while Mr. Fleming's line, according to his own report of 6th April, 1865, shows that there are 8½ miles with grades varying from 50 to 64 feet per mile, and 7 more miles with grades from 40 to 50 feet per mile; and least radius of curvature, 600 feet—less than one half of that of Mr. Laurie's—which proves clearly to any intelligent mind the superiority of the line Mr. Laurie contemplated to build for £10,473 per mile, deducting all the other items included in his estimate, which Mr. Fleming is not to furnish.

I take for granted that the excavations, embankments and slopes are considered the same in both estimates. The rail in Mr. Laurie's is to weigh 63 lbs per lineal yard, and the ballasting for the superstructure to be 2½ feet deep, or 4800 cubic yard per mile, which quantity he considers necessary, on a road well drained, to secure the safety of the road from heaving by frost in this climate. The rail to be furnished by Mr. Fleming is to be only 56 lbs per lineal yard, and ballasting 3000 cubic yards per mile. The difference in the rail amounts to 11 tons per mile, @ \$48 per ton, making a saving of \$528 per mile, or \$26,000 on the 50 miles. Also the difference in the reduction of the ballast is 1800 cubic yards per mile, @ 40 cents per mile, or \$36,070 on the entire line. By these two items Mr. Fleming saves \$62,000.

Mr. Fleming is to build 48½ miles, according to his own report, for \$2,116,500, equal to £10,798 per mile. Deducting the above amount of \$62,000 from Mr. Laurie's estimate, it reduces his price per mile to £10,183, or £615 per mile less than Mr. Fleming's proposed road. But it must be remembered that Mr. Laurie's estimate contemplated a road with excavations from 22 to 24 feet in width, while Mr. Fleming's is considerably less, and his slopes were to be 2 to 1, while Mr. Fleming's are only 1½ to 1. It is therefore evident that Mr. Laurie's would give us a road greatly superior to the present lines in regard to future upholding at a sum of £615 per mile less than Mr. Fleming's. I have figures also to show the cost of the road already built and they will shew that notwithstanding the work was at that time new, and a good deal of extravagance resulted from want of experience, that road was cheaper than the one to be built by Fleming. The Attorney General has said that the number of iron bridges would make a considerable difference, but there are only two iron girder bridges in the line to Pictou, and after making the necessary deductions I find the cost to be £9396 per mile. A memorandum relative to Mr. Reekie's offer has been referred to, and in looking at that I find it stated that the Pictou road equipped with rolling stock was to cost

but two millions; this led me to think that Mr. Fleming was attempting to mystify the Government. The construction may proceed satisfactorily, but if so we will have to thank the inspection of it and not Mr. Fleming. I believe that the government are desirous of seeing that the contract is fairly carried out. There is something extraordinary in Mr. Fleming's offer, to which I wish to call attention:—After he got the works into his hands as engineer, last fall, he carried them on in the most expensive way,—he built a shed over one culvert 208 feet by 30 feet wide, and carried on the masonry work when the thermometer was 20 and 26 below zero, but no sooner was the contract signed than this was stopped. As far as section No. 6 is concerned, not a cubic yard has been removed since he obtained the contract. That is a matter about which the government should enquire. As for the inspection of Mr. McNab, I must say that the report which he gave, considering the short time he had for investigation, is one that I should have been ashamed of. If he had gone over the ground he could have understood what he should report, but as it was he could state nothing except what was dictated by Mr. Fleming; such a report, I think, is not at all creditable to him. I had intended to have gone fully into figures, but I will detain the house no longer, and will leave gentlemen to examine for themselves. I will only say further that I am very sorry that in this case I cannot support the government, for I believe that they desired to do what was right. The resolution moved by Mr. Archibald commends itself to my judgment, because I consider that it was improper for Mr. Fleming, whose power on the railway works have always been too arbitrary to become the contractor, and because the precedent which the government has set is dangerous to the future interests of the country.

The House then adjourned.

WEDNESDAY, March 28.

The house met at 11 o'clock.

Several bills passed a second reading.

On motion of Hon. PROV. SECRETARY Mr. John Campbell was appointed Chairman of the Committee of supply, in the absence of Mr. Caldwell.

Mr. ROBICHEAU introduced a bill to incorporate the Middle River Breakwater and Pier Company.

THE ESTIMATES.

Hon ATTORNEY GENERAL said:—I was in hopes a few days ago that the departmental officer, whose duty it was to have brought forward the financial statement for the year, would have been in his place before the time had arrived when it would be practicable to lay them before the house; we would then have had the benefit of the experience of a gentleman who has made himself familiar with all the details of the department, and who would have dealt with the subject in a manner that cannot be expected from me. I have to ask the indulgence of gentlemen on all sides, in consideration of the fact that, in addition to my absence from the Province, my other duties have so pressed upon me that I have been unable to give those matters the minute investigation which is necessary to present them in

a way that gentlemen would have a right to expect from the officer in charge of the department. I now ask leave to lay upon the table the estimates of revenue and expenditure for the current year. These show as follows:—

Assets 30th Sept., 1865, from the usual sources.....\$499,139.42
Liabilities of Province, 30th Sept., '65.....450,838.59

Balance of Assets, 30th Sept., 1865.....47,300.83

PROBABLE REVENUE OF 1866.

Customs & Excise Duties \$1,200,000.00
Light Duty.....38,000.00
Casual Revenue.....70,000.00
Crown Lands.....45,000.00
Gold Fields.....20,000.00
Hospital for Insane.....20,000.00
Post Office Revenue.....30,000.00
Railway Revenue.....200,000.00
Canada, New Brunswick, &
P. E. Island.....4,500.00
Great Britain, for Sable Island 2,000.00
Board of Revenue.....2,000.00

1,631,500.00

\$1,678,800.83

ESTIMATED EXPENDITURE FOR 1866.

Authorized by existing Laws.....\$564,585.00
To be voted by the Legislature.....1,065,589.00

\$1,630,174.00

It will be seen that I have estimated as derivable from Customs and Excise duties \$1,200,000, the estimate of last year was only \$920,000 but it exceeded that and produced \$1,047,891 so that my estimate is about \$153,000 more than the actual income of 1865, and I may say I think we can safely put it at that for up to the present time six months of the financial year have almost expired and the returns shew an excess of the receipts of last year by \$10,000. It may be supposed by some that before the year has expired the failure to renew the Reciprocity Treaty may to some extent affect our trade, and by reducing our exports may affect our imports. I do not think however that we have any great reason to fear any such change arising to affect our revenue very largely before the 30th September. We will not I think be in a position to judge of the results attending the failure of the efforts to renew that treaty before the expiration of another year and by that time we will be in possession of all the information necessary to deal deliberately with the whole subject.

It has often been alleged that the duties on such luxuries as spirits, wines, and tobacco, were too low, but hitherto we have not been in a position to raise them, because their low prices elsewhere would offer inducements to smuggling. The government now however taking into consideration the changes which have occurred in the United States have determined to suggest the imposition of higher duties on those articles. On gin, and whiskey, they propose to add 20 cents, the duty formerly being 70 cents, so that it will now be 90 cents.—The duty on rum, was 40 cents, we propose to add 35 cents;—the duty on brandy and cordials was 90 cents, we propose to add 30 cents;—to the duty on spirits and strong waters we propose to add 25 cents. On wines viz.: hock, constantia, malmsey, catawba,

burgundy, hermitage, moselle and champagne, we propose to add 50 cents per dozen, making the duty \$3, all other wines in bottles of five bottles to the gallon to be raised from \$1.50 to \$2.00. Port, sherry, madeira and all other but French wines in wood which were 60 cents per gallon we propose to raise to 75 cents, and French wines are to be put at 40 cts. per gallon. This change I think will have the effect of changing the character of the wines imported, doing away with the inferior wines under £24 per pipe. It has been brought to the notice of the government that pretty extensive operations have been carried on under this clause of the former act by persons having invoices to suit the reduced rate,—wines have been introduced which contain very little juice of the grape. A gentleman not long ago informed us that having obtained an analysis of wine which he purposed purchasing, and which appeared remarkably low, he found that it consisted principally of alcohol, having a little flavoring, but having no juice of the grape at all. This article is permitted to come in and enter into consumption at 1s. 3d. per gallon, decreasing the revenue and imposing upon purchasers. In addition to these duties on wines we propose to add 5 cents per pound on manufactured tobacco, and 4 cents on unmanufactured. This will make the duty on the former 10 cents, and on the latter 5 cents. As to the protection thus afforded to the manufacturer, I find that the other articles entering into the manufacture yield $\frac{1}{2}$ per cent., so that if parties pay an excise duty of one cent, and $\frac{1}{2}$ per pound of customs duty, he gets a drawback of about one cent, which is very little protection and not as much as should be afforded; but by the alteration he will have a protection of $3\frac{1}{2}$ cents. The leaf tobacco, it is said, loses in the manufacture from $\frac{1}{2}$ to $\frac{1}{3}$, taking the smallest sum and deducting $\frac{1}{2}$ from the five cents duty, the protection will be, as I have said, $3\frac{1}{2}$ cents. We all know that this is an article upon which every country collects a large amount of revenue, even the United States, where it is grown. Last year the importation amounted to about 760,000 pounds of tobacco, two-thirds being manufactured;—we therefore got the duty of five cents, or only one-third of this quantity, and the duty on the rest was one cent. It has been considered, as I have said, that the duties on the article have been too low; and that the wise policy, in view of our financial prospects, will be to raise them. I may here say that it is proposed to leave the duties on all other articles the same as before the Reciprocity Treaty, with the exception of flour. Under the old act flour was 25 cents, and pilot-bread was free; but on revising the tariff we thought it would be wrong to give a bounty against our own bakers, and we therefore propose to add 20 cents per 100 pounds on bread, flour being 25 cents per barrel. Fruit will come in at \$1.00; cheese at \$1 per hundred pounds; butter, \$1.75 per hundred pounds; beef and pork at \$1 per barrel—these being the old duties. I have made a calculation to ascertain what the revenue derivable from these old impositions will be, and have estimated it by the quantities of last year, and find the result to be \$198,000, while the new duties will, I think, produce \$89,111.76, giving a total of \$287,229.04, as the increase from all sources. I may say here that the results of the last six months'

trade give every reason to believe that these anticipations will be more than realized.

I will now proceed to the Estimate of Expenditure. The items in the Civil List are the same as before, with the exception of the pension to Judge Halliburton. For agriculture the amount authorized by law is \$6,000, and on application of the Board \$8,000 has been added for a stock farm, making \$14,000 for that source. For education, in addition to the amount authorized by law of \$120,400, I have put down for King's, St. Mary's, Horton and Acadia, Sackville and St. Francis Xavier's Colleges and Academies \$1,400 each, for Dalhousie College, Pictou Academy and Yarmouth Academy \$1,000 each, for the Deaf and Dumb Institution \$2,000, Halifax Grammar School \$600, repairing Model School \$50, Insurance Normal and Model Schools \$65, Teacher of music, Normal School, \$100, Industrial School, Pictou, \$100, and School at African Settlement \$80, making a total for education of \$132,995. For Immigration I have put down to be voted \$5,000, and if this be too small it can be provided for in an additional estimate. For the Militia Service \$78,000 has been put down, but it was intended to make this \$100,000, and I may say that in New Brunswick the grant was increased from \$50,000 to \$90,000,—the outlay here will not be largely in excess of last year, but something further will be required. For the protection of the fisheries we have put in \$40,000, and for an Engineer to take Mr. McNab's place on the Canal and other public works \$1,600. We next come to Navigation Securities, and I must say here that owing to applications continuing to come in up to the last moment I have not been able to provide in detail for these services, but I have put down for St. Peter's Canal \$30,000 and for the wharf at Port Hood \$20,000. The House will understand that the mining interest of Cape Breton is one that we should not neglect, and at Cow Bay, the necessities for a breakwater have been very great. Last year \$4000 was appropriated for this object, and on application a like sum has been included in this estimate to complete the work with the understanding that no further vote will be asked, gentlemen engaged in the enterprise having expended double the sum we have given. This work will not only afford facilities for the shipment of coal, but will afford shelter to all vessels resorting thither. I have then put down \$26,000 to be subdivided among the various countries. The Revenue expenses are stated as follows:

Authorized by law	\$13,350	
To be voted for Halifax Department	\$27,125	
" " Annapoli County	780	
" " Antigonish	240	
" " Cape Breton	1,200	
" " Colchester	480	
" " Cumberland	1,000	
" " Digby	1,060	
" " Guysboro'	2,280	
" " Hants	880	
" " Halifax (Tangier)	80	
" " Inverness	420	
" " Kings	580	
" " Lunenburg	820	
" " Pictou	2,320	
" " Queen's	740	
" " Richmond	580	
" " Shelburne	480	
" " Victoria	500	
" " Yarmouth	2,160	57,225
" " Contingencies &c.	2,420	
		\$70,576

For roads and bridges the same sum has been put down as last year, viz:—

To be voted.....\$160,000
 For special services to be subdivided.. 114,228
 \$274,228

In reference to the Steamboat and Packet Services, I would remark that a gentleman from Quebec applied to the Government, stating that a company was about being organised to put on the line between Pictou and Quebec, two first class sea going steamers, to leave Quebec, touch at Shediac and Miramichi and then at Pictou making the run to Pictou in 60 hours, that in addition they would put on two smaller boats to supply the traffic of the Bays of Canada and New Brunswick and he shewed us that the Canadian and New Brunswick Governments had given a guarantee of support. We have accordingly put down \$5000 for that subsidy. The grant to the Guysboro' packet we have thought it better to leave out of this estimate and to include in the next. The amount voted to the ferry between Low Point and Sydney Mines has been increased to \$80. The ferrymen at the Gut of Canso have also applied for an increase owing to the daily mail to Cape Breton and in the sub-division that can be provided for. Having made these statements more imperfectly than I could have wished, I now ask leave to lay these documents upon the table.

Leave was granted and an motion the papers were referred to the Committee on Supply.
 The House adjourned.

AFTERNOON SESSION.

The House resumed at 3 o'clock.

Hon. PROV. SEC. laid on the table the Report of the Indian Commissioner. Also copies of correspondence relative to Briar and Seal Island Lights.

Mr. PRYOR introduced an act to provide for the appointment of Special Constables in the city of Halifax.

Mr. McLELAN presented a petition for aid to open a new road to Londonderry.

COMMITTEE OF WAYS AND MEANS.

On motion of the hon. Attorney General the House went into Committee of Ways and Means, Mr. John Campbell in the chair.

Mr. BLANCHARD alluded to the high duties proposed to be placed on spirits and to the danger that it might induce smuggling of whiskey from Canada, and thereby cause a loss instead of an increase of revenue. He referred to the want of secrecy in connection with the changes in the tariff. A member of the House had bought 20 or 30 puncheons of rum within the past few days, and thereby cleared £14 on each, obviously through his knowledge of the change of duties. A large quantity of wine and tobacco had also changed hands; and a merchant in the city had cleared the large sum of £3600 on an operation in rum alone. He also alluded to the fact that an important change had been suddenly made last year in connection with mining leases.—For some years past the universal rule was adopted that no man should receive a second right of search over another whilst the first held good, but last summer the city had been disturbed from its ordinary repose by the fact being made known that this rule had been

reversed. He was informed that when the news became known the mining office was besieged by hundreds of persons for rights of search. He thought it exceedingly strange that the government should be so reticent in some matters, and yet, as in the case of the tariff, allow important changes to leak out in an underhand manner.

Hon. ATTORNEY GENERAL said that parties ought to be on the look out for speculators at a time when it was known the tariff was about undergoing alteration. The very fact that some one wanted to make a large purchase of a particular article should have induced caution on the part of the individual who held the goods. At the same time he did not pretend for a moment to justify the action that may have been pursued by any person in the transactions in question. The Government had no desire except to see all parties placed on the same footing, and any gentleman who was informed on the question was requested to keep it perfectly secret until it was made known to the House and country. If the Government had thought that any gentleman would have broken faith with them, they would have published immediately a notification of the contemplated changes in the tariff. As respects the changes in the tenure of the licenses, the Government took the only mode that was open to them, of publishing them in the *Royal Gazette* as soon as they were made. He did not fear that there would be any smuggling from Canada whilst the inducements to smuggle spirits from that colony into the United States were so great.

Mr. LOCKE said that no merchant could have anticipated such sweeping changes as had been made in the tariff. How this information got abroad he of course could not say, but apparently it must have been in a clandestine manner that could not be justified. He feared that much smuggling would take place since the inducements held out were so great.—Whilst the House imposed high duties on rum, and the drink of the working class, it allowed the rich to purchase French wines at reduced rates. Tobacco at first might be a luxury to a poor man, but after a time it becomes a positive necessity. He objected in strong terms to imposing a duty upon American flour, and upon lard, beef, and pork,—articles which were largely consumed by the fishermen and working classes.

Mr. KILLAM said that the agricultural population did not require protection, and yet they were now to be favored over the miners, fishermen, and mechanics of the country. The western people who were forced to go into the American market were to be largely taxed under the new system. More than this, the East was to have the advantage of having a line of steamers to keep up constant communication with Canada, and in that way get their flour with greater facility than it was possible for the West to obtain it. He hoped that the Government were not determined to press all the proposed changes in the tariff, but would agree to such modifications as, on a discussion, might seem advisable. He was of opinion that the Government should establish some arrangement by which the mercantile community might not be exposed to such losses as has just occurred. It was the practice in England for the Chancellor of the Exchequer, when he intended to make any large change, to let the

public obtain information on the subject in some way. The rule here might be established that no goods shall be taken out of the warehouse for ten days before the revenue laws has passed.

Mr. TOBIN said that he agreed with the two hon. gentlemen who had just spoken in respect to beef, pork, and lard. Neither did he think it was at all wise to impose a duty upon flour in a country like this where the farmers do not require protection. We did not require these duties for revenue purposes, and the only argument that could be brought forward in their favor was that in view of the repeal of the Reciprocity Treaty, it was necessary to encourage trade between the British North American Provinces; but it appeared to him that the trade might be largely increased without the proposed duty. The price of flour in Canada must be regulated by that in the Liverpool, and not by that in the New York market.—There would therefore, be no difference of price between the New York and Montreal market. It would be found necessary for the English people to import flour from Canada instead of the United States. There was only one thing against Canadian flour, and that was, it soured in some months of summer; but no doubt that could be remedied by Canadian manufacturers. As respects spirits, he considered it quite legitimate to levy duties upon them, and collect a revenue. Gin, however, was brought here from Delftshaven at 1s. 7d. a gallon; rum in the West Indies cost from 1s. 6d. to 2s., therefore it would be seen that the duty on gin (90c.) was out of proportion to that on rum (75c.) taking the price into consideration, while the probability of the former being smuggled, was less. In England there was only a most insignificant duty imposed upon flour and grain, merely for the purpose of keeping statistics. From provisions of every kind no revenue was collected. The large proportion of the revenue was derived from spirits. It was wise for us to follow the example of the Mother Country. He thought the change in respect to tobacco was judicious; it would encourage the manufacture of the article in the Province. He also approved of the policy of encouraging the introduction of a good class of wines, and alluded to the fact that in France they would not allow a single cask to be exported unless it was fair wine.

Hon. FINANCIAL SECRETARY said that he had not had an opportunity of consulting with his colleagues on the tariff which had been submitted to the house, and therefore in any remarks he might make on the subject he would be guided solely by the previous consideration he had given to the subject. The hon. members for Shelburne, Halifax, and Yarmouth had stated that the proposed duty under discussion was not required for purposes of revenue, but he must differ from them. It was the duty of his hon. friend, the Attorney General, to provide for all the contingencies that might arise from the repeal of the Reciprocity Treaty, and look solely to the amount of revenue that would be required for the present year. He alluded to the large amount of our exports to the United States that were now excluded from the free list. It could hardly be expected that the channels of trade could be suddenly changed, and therefore the house should consider carefully before refusing

to adopt the contemplated change, in view of the fact that the ability of our people to buy would be limited. According to the ability of the people to purchase did the revenue rise and fall. It should also be taken into account that the Province had large liabilities to discharge in connection with the construction of important public works, which the Legislature had sanctioned. It was the safe policy to impose duties on those articles that were certain to enter largely into the consumption of our people, and were not exposed to large fluctuations. He did not consider any hardship would be imposed upon any class by the small amount of duty that was proposed, simply for revenue purposes. Was there a man who would not rather pay this insignificant sum than place the Province in the position of not being able to discharge its obligations? As respects the statement of the hon. member for Inverness, he could only say that any member of the house who made an improper use of the information confided to him in the strictest confidence by the government, acted in a manner that no honorable man ought to act. He was not aware that such had been the case, but if so, he could not for a moment defend it. It was not possible, however, for the government to guard against speculation, and put the country on its guard. His opinion was that in England the government never by any chance publicly proclaimed what the duties are to be until the Chancellor of the Exchequer came forward and made the statement to the Commons.

Mr. C. J. CAMPBELL said he held opposite views to those professed by the hon. member for Halifax. His opposition to the tariff was in respect to the articles exempted. His idea was that it should be our policy to protect our native industry in preference to foreign manufactures. He did not understand why coal should be allowed to come in free;—our coal companies were already taxed 10 cents for every ton of coal they raised, and yet the tariff allowed the foreign article to come in free. Some reference had been made to a member of the House who had been speculating in rum. He acknowledged to have bought a few puncheons of rum, but there was nothing strange in the transaction. He had a vessel loading in the harbour; he had, among other things, to buy a quantity of rum, and accordingly went to a dealer in that article in the city with whom he had been in the habit of dealing. The dealer stated to him that the price had been raised, as the Government intended to increase the duty. So he (Mr. C.) had to submit to an advance of 10 cents a gallon. Nobody could say that he had acted in any improper way in the transaction; it was no speculation.

Mr. ARCHIBALD said that he considered the financial policy of the Government was properly a Government question, and went on to express his disapprobation of the fact of any member of the Legislature having taken advantage of information given to him in secrecy. The members of the Government who had spoken had very properly denounced the act as dishonourable in the extreme. He thought it was advisable for us to follow the system established in England and have a permanent tariff on which the mercantile community could place some dependence. That a

person connected with the Government could carry out information that was worth £5000 was dangerous in the extreme.

Hon. ATTORNEY GENERAL said that there was not a Clerk in the Department that knew the intentions of the Government.

Mr. ARCHIBALD said that the government had done themselves credit in disavowing this transaction at once. Nothing was more reprehensible than that a supporter of theirs should make an improper use of the information confided to him. He did not feel competent to deal with commercial matters in the face of such authorities as the hon members for Halifax and Yarmouth, but he would say that it was our duty as well as interest to cultivate, by all the means in our power, the closest commercial relations between the colonies of British North America. It was, therefore, with much gratification that he saw that the government had provided in the Estimates for a subsidy of \$5000 for steam communication between this province and Canada.

Hon. PROV. SEC. said that the practice in the house in respect to the tariff had been truly stated by the hon member for Yarmouth—the government were always ready to adopt any suggestions from hon. gentlemen, and make any modifications that after deliberation were shown to be advisable. He deeply regretted to learn that large speculations had been made in view of the proposed changes in the tariff. He would have felt personally insulted if any gentleman outside had asked him what was the intention of the government on the subject. In the consultation held by the government with their supporters, the strictest secrecy had been enjoined and agreed to by all. The suggestion of the hon. member for Yarmouth that some means should be taken to prevent speculation at such a time was well worthy of all consideration, though he could not see that the mode proposed would at all meet the case, whilst it would be a serious embarrassment to trade. The tariff proposed was not a retaliatory measure against the Americans for the course they had pursued in respect to the Reciprocity Treaty. The change that was to take place was the result of their own act. We had a law on the statute book, previous to 1854, imposing certain duties on all foreign goods. That law was suspended by the Reciprocity Treaty as far as the United States were concerned. Now, however, they had abrogated that treaty, the former law came again into force. No one could say that it was advisable to give away the very means by which we might perhaps bring about a renewal of the Reciprocity Treaty at a very early period. It was said that we were about to impose duties upon the fishermen, but it should not be forgotten that the large sum of \$40,000 had been voted to protect the fishing interest—to keep the valuable fishing grounds free from the encroachment of foreigners. Whatever opinion gentlemen might entertain as to political union, no one could deny the advisability of cultivating the closest commercial relations between the British North American Provinces, and nothing could tend more to bring about such a result than to give large and easy means of communication. We were now about constructing a railway to Pictou, and nothing would be of greater advantage to that road than the line of steamers that would

touch at that port from Quebec. It had been very properly observed that the interests of the country required that we should take all the means in our power of preventing any falling off in the revenue. The House knew that the province had heavy liabilities to discharge in connection with public works—the Railways in progress, the Lunatic Asylum, the St. Peter's Canal, the wharf at Port Hood, for instance; and it was therefore necessary to pass by no means of keeping up the revenue. The hon. gentleman, in conclusion, read a resolution which had been handed to him by the hon. member for Halifax as having been passed by the Chamber of Commerce—asking that beef, pork, lard, flour, broom corn, and cotton wool be put on the list of exemptions.

Mr. COFFIN expressed his regret that the government should determine on imposing these duties upon the necessaries of life. The house should imitate the example of the mother country in this respect. He hoped that they would not act so unfairly towards the West as would be the case if they imposed the duty on flour.

Mr. KAULEACK said that it was necessary in view of the heavy demands upon the public exchequer, consequent upon the extension of our public works, to provide a sufficient revenue. The proposed changes in tobacco would ensure the consumer a better article at little or no additional cost. He was glad that the government had not adopted a retaliatory policy in consequence of the repeal of the Reciprocity Treaty by the United States. Little more was proposed than to have the same tariff, which was suspended by the Reciprocity Treaty, revived. Our Republican neighbours could not find fault with us for pursuing such a course; it would only place us in a right and fair position to treat with the United States in case they might be inclined to renew the treaty. He did not think the small duty on American flour would be considered a burthen by any of our people. When the hardy fishermen of this Province considered the great benefits they would enjoy by having the entire and peaceful use of all their fishing grounds—that they would now be free from the intrusion of the Americans—that their rights had been protected by the appropriation of \$40,000 for their security from encroachment,—they would be content. It was our duty and interest to encourage trade with the other Provinces. Canada wanted our fish and coal, and we required her flour. The hon. member for Halifax had said that Canada flour soured in summer; this was to some extent true, and arose from the hurried manner in which grain was taken from the field and ground, in order to have it exported before navigation closed. But he believed in order to avoid this difficulty we could open a direct trade which would make Nova Scotia the granary of Canada; Here we could manufacture the grain into flour, transhipping what was not required for home use to any favorable market; and in return, if the Canadians did not want all our fish, we could give them coal, and the products obtained for our fish in the West Indies and other countries. We should like to have a duty imposed on lime, thereby encouraging the home manufactured article. We have the raw material in great abundance, and his attention had been particularly called to it by seven-

ral of his constituents. Our policy should be to encourage home manufactures, and raise up an independent home market for our fisheries, mines and agriculture.

Mr. LOCKE was sorry to hear so much reference made to the \$40 000 given for the protection of the fisheries; that was a Provincial matter, in which all classes as much as the fishermen were interested. It was intended as a means to force the Americans to a renewal of the Reciprocity Treaty. The county of Kings had participated more in the advantages of the Treaty, in the article of potatoes alone, than any two of the shore counties in fish. He again urged the government to take off the duty on beef, pork, lard and flour, or from the three first if they would not strike it from flour.

Hon. ATTY. GEN. said that the government had carefully considered the subject, and come to the conclusion that it was the wisest plan to restore the duties as they existed before the Reciprocity Treaty. The great object of all should be to create a large intercolonial trade. He had been told that the people of P. E. Island were going to raise an article of pork and lard that would suit our fishermen most admirably.

Mr. CHURCHILL said we might not raise flour, but we could produce as fine beef and pork as any part of the world. As respects flour he was in favour of its going free.

Mr. STEWART CAMPBELL said that he represented a county that was largely interested in fishing and he could never consent to the imposition of duties that would be so burdensome to them. It should be remembered that Agriculture was encouraged annually by large grants—this year for instance provision was to be made for a Model Farm; and now it was proposed to place still greater burthens upon the hardy fishermen who already contributed so largely to the revenue. He therefore proposed the following resolution in amendment:—

Resolved, That the following articles, Flour, Beef, Pork, and Lard be exempted from the scale of duties, and that they come in free."

Mr. BOURINOT said that disposed as he was to give a cordial support to the Government on this question, he could not be a consenting party to imposing a duty upon the necessaries of life. He therefore trusted that the Government would reconsider their determination and yield a measure which would bear so hardly upon our fishermen, miners, and labouring classes generally. He looked upon the prospect of any large trade with Canada as chimerical for some time to come. The Americans must still continue to be our chief market. The duties they had imposed would have to be paid by themselves.

Mr. ROSS said he was glad to hear such opinions expressed by the hon member for Cape Breton. It was well known that there was a large trade between Cape Breton and the United States, by means of vessels engaged in the coal trade. They took away loads of coal, and returned with flour. If we admitted Canadian flour free, we protected one part of the Province at the expense of the other. If there was one class of persons that deserved more encouragement than another it was the fishermen.

Hon. FIN. SEC. said that no injustice would

be done to the western part of the Province, since flour could be brought via Portland under the bonding system, which would still continue in force. As far as the government were concerned, they would do all they possibly could to facilitate the shipment of flour to the West.

Hon. ATTY. GEN. said that looking over the revenue returns he found that to the county of Cape Breton not more than 7000 bbls of flour were brought from the States direct; that was only employment for 7 trips of a schooner of 100 tons.

Mr. BOURINOT said that it should be remembered that the larger portion of the flour used in Cape Breton came from the States via Halifax.

Mr. ANNAND asked if the Financial Secretary had run his eye down the list of dutiable articles, and enquired whether it was not possible to levy a duty that would be more in consonance with the interests of the people, than one upon the necessaries of life. A small duty upon tea, molasses, &c., would raise him all the revenue he required. It was now proposed to levy from flour alone a shilling of duty on every man, woman and child in the Province of Nova Scotia. If it was the object to establish and encourage manufactures, was it a wise policy to increase the expense of the necessaries of life, and in that way burthen the mechanics and labourers engaged in these manufactories?

After some further desultory debate the question was taken upon Mr. S. Campbell's amendment, which was lost by 29 to 24.

Mr. S. CAMPBELL then moved that flour be added to the list of exemptions.

Mr. MILLER wished that flour and bread be taken together.

Mr. Campbell's amendment was lost by 21 to 24.

Mr. LOCKE moved that pork, beef, and lard be exempted. Lost.

The original resolution was then carried, and the committee rose and reported.

Mr. STEWART CAMPBELL then moved that flour, beef, pork, and lard, be added to the list of Exemptions, which motion was lost on the following division:—

Yeas.—Killam, Hebb, Miller, Tobin, Townsend, Locke, Stewart Campbell, Robertson, Ross, Ray, Colin Campbell, Robicheau, Balcan, Coffin, Annand.

Against.—Churchill, Shannon, C. J. Campbell, Doukin, Longley, Bourinot, McFarlane, Bell, Hamilton, Whitman, McKay, Parker, Lawrence D. Fraser, J. Fraser, Fryor, Allison, Jost, More, Kaulback, McDonnell, Attorney General, Provincial Secretary, Blanchard, McLellan, Archibald, Blackwood, Cowie, Hill, J. Campbell, Smyth, King, E. L. Brown, McKinnon, Hatfield, Financial Secretary.

Mr. S. Campbell then moved that flour be exempted. Lost by the following division.

Yeas.—Churchill, Bourinot, Killam, Fryor, Hebb, Blanchard, Miller, McLellan, Tobin, Townsend, Locke, S. Campbell, Robertson, Blackwood, E. L. Brown, Ross, Ray, Colin Campbell, Robicheau, Balcan, Coffin, Annand.

Against.—Shannon, Whitman, McKay, Parker, Lawrence, Donald Fraser, J. Fraser, Allison, C. J. Campbell, Jost, More, Hamilton, Longley, Kaulback, Attorney General, Provincial Secretary, McDonnell, Doukin, Mc-

Farlane, Bill, Cowie, John Campbell, P. Smyth, King, Hatfield, McKinnon, Financial Secretary, Archibald, Hill.

Mr. LOCKE said that he saw it was no use to move the amendment he had previously moved, and lost.

Mr. ROBERTSON said that he expected as the bread of the country was now to be taxed, the time had arrived when the Prov. Secretary would carry out his Retrenchment scheme.

The original resolution then passed, and the Revenue Bills were introduced, and read a second time.

The House then adjourned at 7 o'clock.

THURSDAY, 29th March.

The House met at 3 o'clock.

The Revenue Bills were taken up and passed, and then the adjourned debate was resumed.

THE PICTOU RAILWAY.

Mr. PARKER said that living as he did in the neighborhood of Railways, he naturally felt a deep anxiety in the present question. When in a previous session he had given his support to the extension of the Pictou Railway, he did so, because he was aware of the importance of the undertaking, and had no idea that the government would have dared to trifle with the people's interests as it now appeared that they had within the last few months. He had been glad to find that the road was let out by the yard, believing that it would prevent claims for Extras coming in. The hope, however, he entertained that the government would not jeopardize the people's interests had been dispelled by the extraordinary action the government had taken in the matter. Now contractors were actually coming in and making claims because the work had not been done in the places expected. A great deal had been said about section No. 7, in the course of the debate; that section was the most difficult one on the line to work & had accordingly been brought up in preference to other sections since it created a false impression of the true character of the average of work on the road. He asked the House to look at the nature of the other contracts on the Pictou Extension. On No. 1 the work had proceeded most satisfactorily, and it could not be said that it was a failure in any respect whatever. The contractors on No. 2 also expected to finish the work quite satisfactorily. On No. 3 the contractor was also at work; it had not been given up. No. 4 was one of the best contracts on the whole line. On No. 5 the contractor was also at work; he was now going to finish the whole according to agreement. On No. 6 changes had been made which prevented the contractor being successful. No. 7 as already stated was a great bug bear. No. 8 was a difficult section. In short, there were only 6, 7, 8, 9 sections where the work had not proceeded so satisfactorily as was desirable. Out of the other contractors who had been proceeding satisfactorily, Mr. Fleming was to make all the profit that was to be made. If the government had proceeded with the work they would have made a profit in behalf of the Province. He considered it very unwise to

entrust such large powers to a single Commissioner of Railways, as to control the expenditure of two millions of dollars for the construction of the Pictou line, he thought that other gentlemen could sit with the gentleman in question, to guard the Provincial interests. The hon. Attorney General had instituted comparisons between our present Railways and the Pictou line; but as far as his knowledge went he did not believe the facts would bear out the remarks of that hon. gentleman. Reference had also been made to sleepers, and to the people of Pictou having combined against the contractors. Now the average price of sleepers was 20 cents each; they can be delivered at the Shubenacadie for 15 cents; indeed, they had been bought for 12½ cents in some cases. As men became more accustomed to make them, they would necessarily be sold cheaper. Mr. Laurie calculated the price at 35 cents; Mr. Fleming, however, did not mention any price, as he gave a bulk sum for a variety of material. However, he had received even advantage in this comparatively small matter. He did not think it at all probable that the people in the county would combine—the contractors were the only persons that were likely to do so. He was persuaded that the feeling of the country was against the course that had been pursued by the government in awarding the contract to Mr. Fleming under such extraordinary circumstances. He would not enter into any calculations on the subject, for he was assured that those that had been given by the hon. leader of the opposition were quite sufficient to convince the public mind as to the real merits of the transaction. When the people had an opportunity of expressing their opinion the government would then find that they had been injured by the improper course they had pursued.

(Some conversation took place as to a remark made by Mr. Parker that private contracts had been made for fencing during last season. Mr. Longley wished that the hon. gentleman would give some specific statement on the question, that he might see what foundation there was for the charge.)

Mr. CHURCHILL said that he did not intend to occupy the attention of the House with any extended remarks, as it was not his forte to make speeches for political purposes. He had given the subject the most careful consideration, and did not think the men who were now controlling public affairs would act in the way attributed to them by some gentlemen who had addressed the House on the present question. He considered that the attack that had been made upon the government could not be justified by anything that had been said in support of the resolution introduced by the hon. leader of the opposition. He had been amused to hear hon. gentlemen opposite charge the present government with having violated the law. He recalled to mind the fact that the late Government, now represented by the member for South Colchester, had gained and held their po-

sition by violation of the direct spirit and letter of the law. It was not for gentlemen who lived in glass houses to throw the first stone against others. The country should contrast the course of the present Government with that of their predecessors in respect to this very question of Pictou extension. The latter had brought in a bill to survey ten miles of Railway to Whall's Mills, and there they stopped. They ran the country into debt to the extent of \$141,000 and proceeded to impose heavy burdens upon the shoulders of the people. The present Government had not been at a stand still but had vigorously dealt with all those great public measures that had been neglected for years. Railway construction was to be advanced east, west, and north; the education of the country was promoted at the risk of incurring a little temporary unpopularity; and a thousand other measures of Provincial utility passed. If it were now a question of first construction of Railways in Nova Scotia, he might hesitate as to their advisability; but now that they had become a settled policy, it was his duty, as a representative of the people, to advance them in those directions where the public interests would be most benefited. He believed that the arrangement that had been made with Mr. Fleming was the only one that was open to the Government under existing circumstances. Mr. Fleming was a man of great skill and experience, and there could be no doubt that the road now building would give the country great satisfaction. He believed that there were also all the checks and guards in the contract, by which Mr. Fleming was bound to guarantee the satisfactory completion of the railway. As to the laborious calculations which some gentlemen had gone into, he did not attach much importance to them, for it was quite possible for clever people to make very plausible statements when they wanted to do so. He had no wish to pursue the question further; the object with which he rose, of expressing his cordial approval of the arrangement, had been accomplished. He attached great weight to the opinions of the hon. member for Yarmouth—he had read his speech with interest, and wished he was able to acquit himself as creditably; but nevertheless he could not see that that hon. gentleman had made a case out against the Government. It was quite obvious that the Government had felt themselves in a position where the public interests had demanded that they should assume a large amount of responsibility, and he believed that they had acquitted themselves in a way that merited the approval of the Legislature and the country.

Dr HAMILTON said:—I did hope that this debate would have come to an end this afternoon, for it has already occupied a very considerable space of time of this House which might be more profitably employed. At first I had no intention of addressing the House on a subject which was exhausted by gentlemen who first spoke to the resolution. I listened with a great deal of attention to the speech of the hon. leader of the Opposition, for he may be considered as having arrived at a stage of

perfection as a debater. I also listened with great interest to the able and exhaustive speeches of the hon. Provincial Secretary and the hon. Attorney General who have defended the action of the government against the assaults of the hon. member for South Colchester. Under these circumstances it cannot be expected that I should be able to bring any new matter into this discussion; in what remarks I make I shall endeavor to be as concise and brief as possible. I never feel disposed to discredit any hon. gentleman's intentions, but I must confess that the hon. leader of the opposition has used language, in the course of this debate, that was unwarrantable. He referred, in the first place, to the illegality of the course pursued by the government in making the contract with Mr. Fleming without the sanction of the Legislature. If we never had any illegality in connection with railways, since their inception in this country, it might better become the hon. member to bring this matter up. The fact is that from the first day railways were commenced, if there has not been illegality, there has been an amazing amount of exaggeration and distortion in connection with these public works. After the ample manner in which the Attorney General dealt with the statements made by the hon. member for South Colchester in reference to the legal bearing of this question, it is hardly worth while for any person to investigate that portion of the subject further. I think the circumstances of the case justify them for having pursued the course they have. I assume that had the hon. member for Colchester been Attorney General, he would have done exactly the same thing. Gentlemen in opposition look at things very differently from what they do when in power. If I had been a judge, and all the circumstances of the case came in review before me, I would have justified the government for having acted so clearly for the best interests of the Province.

I would wish gentlemen to turn back with me to some facts in connection with the progress of railways in this Province. The hon. member for Colchester, Mr. Parker, made a reference to Mr. Forman, late Engineer of Railways in Nova Scotia, and contrasted that gentleman's engineering abilities with Mr. Laurie. He ridiculed the idea of Mr. McNab having been able to make up a reliable report in the time at his disposal even throwing in the Sunday. Now, all I can say is that if Mr. Forman, in his office in Scotland, and took to tell the people in Nova Scotia that they could build railways for £150 a mile, why could not Mr. McNab make an estimate as reliable when all the information was at hand. Mr. Forman took Mr. Syke's survey to make this extraordinary estimate. What more have we? Mr. Howe stated that he believed the Railway could be built for £6,500 a mile. With these statements before them, the people of this Province entered into an arrangement to borrow a million of money for the purpose of building a Railway to Annapolis the New Brunswick border, and Pictou; but before the line got much more than

under way, the Railway Commissioners found it to cost as follows:

Extract from Railway Commission, Feb 8, 1866:—
 "Taking the cost of the road completed and equipped, the contracts entered into, and the prices paid for materials as a basis of calculation, the Board are warranted in believing that the cost of the 61 miles finished and contracted for, will not exceed £7,873 per mile. This amount includes the maintenance of way of 60 miles of the road for 12 months, from the period of its completion."

The *Morning Chronicle* of the 19th of March, 1857, also says:— "That to finish and equip the lines from Halifax to Windsor and Pictou, in a manner suitable to the existing condition of the Province, will cost £355,400 sterling." "The above is the substance of a statement made by Mr. Howe in the Assembly a few days ago, and furnishes a ready answer to all the trash about our railways costing £10,000 a mile."

The result was, that when the present railways were completed, the line to Windsor had cost us over £12,000, and the other line over £10,000. Therefore it will be seen that the people of Nova Scotia were deceived with reference to the cost of railways, and would never have consented to build them as Government works, had they supposed they were going to cost so much; and I hope the Pictou line will end our experience of the system. I do not intend to refer you to the criminations and recriminations of the past, on the subject, in this House and in the Press. Enough matter has been written and published already to fill up a good sized library for any individual in this country; and yet all we have got are 90 miles of railroad.— Let me, however, before concluding this portion of my remarks, read you a short extract in connection with the subject, which may be of interest to some gentlemen:—

Extracts from a Picard of Mr. Howe's:—"Nova Scotia cannot be taxed by building railroads because they will be *productive and pay for themselves*."

"Because the English railroads, upon which millions have been spent, are productive."

"Because all the railroads of the United States, though built with money costing from 7 to 12 per cent. to pay."

"Because the only railroads yet built in this Province pay."

"But, if the railroads should not pay for a few years, we have ample sources from which to meet the deficiency."

"Should it be necessary to raise a few thousand pounds, we can easily do it without taxing the people."

"We shall have 8½ per cent. only to pay until the railroads are productive," and "when they are we shall pay 6½ per cent. out of the earnings of the railroads for 23 years, and that will extinguish the whole debt, principal and interest."

"We run no risk, then, in the construction of railroads by Government."

There has been so much said already by several gentlemen who have spoken in reference to the route estimated, and probable cost, and the style of road we are to get to Pictou, under the present management, that I don't think it worth my while to say much more.

I did hope that were done with such questions as the present, in this country. I think there has been a certain amount of time wasted. It is seldom I have occupied the public time in this House but I can safely say in reference to my vote on the present occasion that I am not bound to support the government by any pledge to my constituents. I did not come here pledged to any set of political men. I am free to vote

against the government *but as long as their public action commend its* If to my sound judgment I shall give them my cordial co-operation. The very instant I think they are unfit to hold their present positions, I shall vote to displace them for those who may be more worthy of public confidence. I approve of the action taken by the government in taking these contracts out of the hands of the contractors, and giving them to Mr. Fleming. The government know better than I can, how necessary it was for them to pursue this course. They were anxious to build the road as cheaply and quickly as was practicable, and the only way they could achieve this result was by giving the contract to a skilled and experienced man like the late Chief Engineer. I feel disposed to support the government because they are having the work constructed at a much less rate than it was thought it could be done. The less the Pictou line costs, the more money there will be for the road from Windsor to Annapolis and to New Brunswick.

I regret very much that the hon. leader of the opposition should have assumed so much as he did with respect to the character and ability of Mr. Fleming and Mr. McNab; he should have produced some facts to this house before drawing the deductions he did. As respects the hon. member's long array of figures, they put me in mind of a gentleman in my county who spent a long time, and thought at last he had a great discovery which he wished to publish in the Newspapers. "I have discovered," says he; "that I can prove that mode of Baptism by the Rule of Three." He figured it all out just as Mr. Archibald has done in reference to the Pictou Railway, and with about as much certainty.

Admit that Mr. Archibald is a clever financier,—that he made a most able statement in regard to the building of the Pictou line in 1859; but somehow these figures never went into practical operation. I certainly was not a little amused with the zeal and energy displayed by the member for North Colchester (Mr. McLellan), and I could not help thinking if he and the leader of the Opposition had only dropped a few tears, what capital sensation preachers they would have made. They appealed to the feelings and passions of hon. gentlemen most admirably, and when they put up their trembling hands, and assumed the attitude and gravity of a divine, I thought that they had certainly mistaken their vocation. The honorable member for Lewers made a laughable speech, and laughed at it as heartily as anybody else; he is clever at witticisms, but I thought his remarks added but little to those that preceded; after the tragedy generally comes the farce.— Then there was the real leader of the Opposition, for it seems there are two gentlemen in that position. The hon. member for South Colchester supports the Government in some questions and is not therefore the real leader; but the hon. member for Guysboro opposes them in every measure. It makes no difference what the question is, but he is to be found

to the fore, and in my mind it is doubtful whether he hammers the Government or his own desk the most. The hon. member evidently felt he had a bad case, or else he would hardly have resorted to the arguments he did to substantiate a charge against the Government.

Mr. BLACKWOOD said: When the question of extension of our present railway to Pictou was introduced into this house in 1864 I gave my cordial support to the government, believing that the measure would be carried out in good faith. I think it is a poor argument for any government to defend themselves by reference to what has been done by their predecessors. In dealing with this question I shall not attempt to enter into any calculations, nor shall I attempt to occupy the attention of the house for any length of time; but, as I view it, the question under consideration is this: Were the government of the day justified in dealing with the Pictou line as they have done? Did the necessities of the case demand that they should pursue such a course? I have listened with attention to the various remarks that have been made by gentlemen that have preceded me, and must say that I have not heard any justification of the government that can bear investigation. I cannot see at all why all the contracts should have been taken from the contractors, and handed over to Mr. Fleming. If two or three contracts are given up, was that any reason why all the others should be forced to be given up to the government that they might give the entire line to Mr. Fleming? No. 7 was the only contract that was really a failure, and every one knows that it was the most difficult section on the whole road. If the whole line had been put up to tender a second time, then there would be something tangible to go upon as to its cost. It was a most injurious precedent to act as the government have done in a matter of such large importance. The people look with great jealousy at all improper handling of their money; in dealing with it, you should act in strict accordance with law. In the present case, two millions of money were taken without the slightest shadow of the authority of the law. If the whole work had been put up for tender, Mr. Fleming would have been justified in tendering for it, and the Government might have given him the contract if they saw they could do so in accordance with the public interests. The resolution before the house meets with my approbation, and I shall heartily vote for it. Some gentlemen have stated that the Opposition are actuated by factious purposes; as far as I am concerned I deny the charge. I do not act for election purposes; when a government do right I shall support them; when they do wrong, it is equally my duty to oppose them. Members living at a distance cannot have any distinct idea of the manner in which the work is really conducted. The hon. member for South Colchester, and the hon. member for East Pictou have given us a few important facts in connection with this question; and I must here say that I would like to have heard the other gentlemen representing the districts of Pictou equally outspoken in their views. I regret that any government should endeavor to establish so dangerous a precedent in this country, and I hope that this House will re-

strain them. If this Legislature be no restraint upon them, where will their unbridled license end? The hon. Attorney General told us that there are cases where necessity overrides the law, but I cannot see any extraordinary case man will carefully consider the effect this question may have upon the present and the future acts of government. If you say that a government have a right to make such contracts as these in direct violation of law, then they are potent to do what they like—there is no limit to their power. That was a very improper expression that fell from the hon. member for Annapolis—"gentlemen were being hounded on"; I never heard a more ungracious remark than that. I have not been "hounded on", I have been simply induced to take my present action by a conscientious conviction that it was my duty as a representative of the people, as one of the guardians of the public interests.

Mr. DONALD FRASER said—Mr. Schreiber was at Pictou last January, and stated to a gentleman of high standing that the intention of the Government was to put a boat on the harbour something like the one between New Glasgow and Pictou—not much better than a common ferry-boat. This, of course, naturally excited the feelings of a good many persons, and a public meeting was called, at which I was present, as well as Mr. Schreiber and the present contractor, the supposed to be Chief Engineer. Resolutions were passed authorizing the government to put such a boat on the harbor as would suit the requirements of that part of the country. After the resolution was passed, Mr. Fleming got up and stated it was the intention of the Government to put on such a boat. I now would like to ask the Provincial Secretary what are the intentions of the Government? Are they going to leave the matter in the hands of Mr. Fleming? What supervision are they going to have over the line? I do not wish to say one word more about Mr. Fleming than is absolutely necessary; but my duty compels me to state that there was never an Engineer in any country who acted in a more tyrannical manner than he has acted. Those put under him, from the very first day they have entered the county of Pictou, have acted like tyrants. I say to the present government, much as I admire their general policy, that it is a great mistake to allow strangers to come into the country and treat our people as they have been treated by Mr. Fleming and his subordinates. Mr. McNab I do not know; he may be a good Engineer, but he was brought up in a bad school. The history of the Canadian road, the Grand Trunk especially, is known through the length and breadth of the land; and I do hope that the government will see that the interests of the country are fully protected. The government may depend upon it that the eyes of the whole country are upon them. They will have to put such men on the work as will see that it is done to the entire satisfaction of the country. The present government have done more than any other that was ever in power. They have, in fact, legislated too fast for the people—have given more than the people expected or were

ready to accept. They have made arrangements for railways East, West and North, that the people have been demanding for years, and I believe, on the whole, they have done a vast amount of good. I believe the government have been misled in connection with the Pictou line, I must add that it is exceedingly strange if Mr. Fleming could not find any one in this country willing to go security for him unless he paid \$50 000. I have never been asked for a penny for security when I have been a contractor on railways.

Hon. PROVINCIAL SECRETARY replied,—I am not sorry that this question has been put to the government by the hon. member. As respects the ferrv, the government have felt from the first that they would not be only wanting in their duty to the town of Pictou, but to the interest of the whole country, if they did not provide efficient means of communication between that town and the Railway. The Railway terminus was carried to Fisher's Grant in consequence of the report made by the Chief Engineer, which commended itself to the judgment of the government. The intention of the government from the first has been that there should be a railway station in the town of Pictou, where all passengers and goods for Halifax should be received, and that the most efficient means of communication between the Railway and the station should be provided. For that reason that part of the contract had been left, as the House will perceive, entirely in the hands of the government. Mr. Fleming will, in point of fact, carry out that part of the contract more in the capacity of a Chief Engineer than as a contractor. The contract provides that the government can incur any expenditure that they may consider necessary for this purpose. I regret the strong observations which the hon. member has made with reference to the late chief engineer. I am aware that he gave great dissatisfaction to the representatives of one division of the county by the report which he made upon the location of the line, but I have yet to learn, (and my own opinion is unchanged on the subject that he did not make a most judicious change—for there were important interests requiring that change. I do not know any man placed in a public position that is exposed to a larger amount of obloquy than a railway engineer—excepting, of course, a Provincial Secretary. The House does not require to be told that Mr. Forman was not many years in this country before every contractor on the line, and all their friends denounced him as the worst man that ever breathed. He was succeeded by Mr. Laurie—a gentleman who now appears to be considered a most reliable authority on both sides of the House; I have no hesitation in saying that I never met a man who possessed my confidence to a greater degree than he did; but before he had completed his work, the same men that had denounced Mr. Forman said the latter was no half as bad as his successor. He has been succeeded by Mr. Fleming, to receive the

denunciations which his predecessors had to suffer. I may also add, in reference to some remarks that fell from another gentleman representing Pictou, that I do not know how it is possible for a government to carry on a government railway without giving unlimited power and confidence to the chief engineer. It was necessary in the case of Mr. Forman and Mr. Laurie. We are obliged to surrender to a large extent the whole management into the hands of this officer. I have watched Mr. Fleming's conduct closely, and I have come to the conclusion that he gave every possible facility and assistance to the contractors for the completion of their work. Mr. Fleming is perfectly well aware that the government will expect from him the same description of work he required from the contractors. It is their intention to supervise the construction of the line as closely as it is possible, and see that the Province receives the advantage of a very superior road. Every engineer in Nova Scotia and New Brunswick, whose services could be made available, were employed before a single Canadian was allowed to come upon it. With respect to Mr. Fleming's appearance at the meeting in New Glasgow, I understand he said thus:—As far as he was informed of the intentions of the government, it was that efficient arrangements should be made. He was aware that the government held that part of the contract in their own hands.

MR. TOBIN said—I did not intend to enter into the discussion of this question at all, for I felt that it was in good hands. I felt after the exhaustive remarks of the leader of the Opposition of the Provincial Secretary, of the Atty. General, and of other gentlemen on both sides, that it would be unnecessary for me to occupy the public time. When, however, I hear the character of a man assailed as that of Mr. Fleming has been, I cannot hesitate to rise in his defence. That gentleman, the House must know, occupies a position not only in British America, but in the estimation of the British Government that should place him above such insinuations. If Mr. Fleming had asked my advice when he was pressed by the Government to become contractor for the Pictou line, I would have said to him: have nothing to do with it; you will become a shuttlecock for two political parties; with your reputation in your profession you should avoid a position beset with so many difficulties. Mr. Fleming did not ask my advice—indeed I never knew he was contractor until I accidentally heard it from an hon. gentleman here—but if he had, that is what I would have told him. When I read these papers, I find that the contractors were coming up day after day and saying that they could not perform their contracts. I believe that the Government, in relieving them and their sureties, conferred the greatest benefit upon them. What next? The chief engineer recommended the Government to carry on the work themselves; but after doing so for a certain time they found that it was inconvenient—that it would, in all probability, entail a far larger expense

upon the country. Then the Government solicited Mr. Fleming to take the contract himself, and he consented. When the House passed the bill for the construction of the Picton line, I said it would be better to let the construction of the line to one contractor, for otherwise we would have a repetition to a large extent of the difficulties that occurred in connection with the Windsor and Truro Railways. That advice was not taken, and perhaps for the best of motives. The government felt that they would like to give to the people of the Province an opportunity of sharing in the construction of the road. Difficulties, a good deal like those that formerly arose in connection with our railways. We were obliged to pay large amounts formerly for extras, but under the present system no such claims could properly arise. The contractors knew exactly what kind of work they had to perform, and what price they had to receive. It appears, however, that the difficulty was that they took, in many cases, the work for prices that were too low. Suppose these contracts had been again put up to tender, what would have been the consequence? The facts brought here prove they could not have been relet except by largely increasing the cost of the railway. Then the government asked Mr. Fleming if he could perform his work within his estimate, and in that save the Province a large expenditure, and he replied he could. I cannot see that the country can complain when it is to get a superior road built expeditiously by a man of great skill like Mr. Fleming.

MR. ARCHIBALD'S SPEECH.

Mr. ARCHIBALD—I must confess, Mr. Speaker, now that this question has been discussed for days—now that every feature of the transaction has been exposed by the observations of gentlemen on one side or the other, I was not prepared for the statement just made by my hon friend from Halifax. That gentleman represents the chief commercial city in the province—he is himself engaged in large business transactions which require calculation and thought, and now that this matter has been sifted so thoroughly, and my hon friend rises to make the last speech on the subject before the debate closes, I am astonished to hear him say that Mr Fleming has undertaken to do the work on the Picton Railway \$100,000 within his own estimate; if I have been so hopelessly incapable of making myself understood that a gentleman of his capacity, and skill, and commercial experience, is unable to appreciate the argument; if I have failed to make him see that, instead of the fact being as he stated it, Mr. Fleming has undertaken the work at an advance of two or three hundred thousand dollars above his estimate, I feel that the compliments paid to me, even in the equivocal manner of the hon member for Kings, are not due to me. Surely I can hardly have put the question intelligibly before the house, if it is open at this stage of the discussion to any one to rise and venture such a statement as he has made. I should have liked, if it were a suitable occasion

now, to have reviewed my hon friend's speech, and also referred to the eccentric arguments of the hon member for Kings, and those of the other gentlemen who have spoken this afternoon, but their arguments will all come under review in my reply to other speakers. I feel now that the debate has engaged the attention of the house for a fortnight—and when every member has been wearied by calculations on one side or the other, I should be doing injustice to the house were I to say more than is absolutely necessary to lay before the house my views of the arguments by which the resolution has been met. I would not, however, be doing justice to myself or to the House, or to the people outside these walls, if I did not at the risk of wearying your patience, undertake to review some of the more important arguments which have been pressed upon your attention. Before going into the general question I will refer briefly to one or two preliminary matters. The Prov. Secretary, in the opening of his address, labored to convince the House that I had shown great want of courtesy in introducing the Resolution without waiting until the Attorney General was in his place, and the Attorney General himself, in addressing the House, took exactly 25 minutes to expatiate on the same subject. Now I am in the judgment of the House—my conduct has been before them since 1852 when I entered this Assembly—and I ask fearlessly whether I was open to the charge of discourtesy, in my conduct towards the members of the government? But when the Attorney General had accumulated all the instances he could call to his recollection of the courtesy which gentlemen on this side had received from the government he was still unable to satisfy his leader, and the Prov. Secretary suggested to him that a great instance of courtesy had been shown to me even in this debate when the government agreed to the postponement of the day for introducing my resolution to the notice of the House. Now it is something new for a government to claim credit for courtesy in consenting to postpone a resolution by which they themselves were to be subjected to censure. Great as was their courtesy in consenting to any delay, I apprehend they would even have indulged me so far as to consent to postpone it forever, had the favor been sought at their hands. But let me say that this extension of the time was no act of mine, I neither asked for nor desired it—I was ready and most anxious to proceed but at the request of my friend Mr. Locke, who wished that some members who had a great interest in the question and who had not reached town at the time should be present, I consented to the postponement and for that was neither sought nor needed by the government. I hold, however, that the consent of the question was not one in which the presence of the Attorney General was particularly required,—it was a question touching the general policy of the government, and had the Att'y. General been here, it would not have been his duty, it would have been the duty of the leader of the Government to reply. Was there any advantage to be gained by his absence in the introduction of the Resolution? Was there not rather an advantage

to him, when he came to reply, to have had an opportunity of deliberately considering the grounds of my attack before he addressed the House? Therefore, instead of the Government having a right to complain of discourtesy on my part, I may safely call upon the House to say that they are at no disadvantage whatever. But the Atty. General came here on Friday and addressed the House at length,—he was not in a frame of mind or body to do justice to his own view of the question. Did he find any disposition to press him to continue, and to conclude his speech that evening? It would have been a great advantage for me to have had his calculations in my hands in time to give them deliberate consideration before replying, but I did not desire him to proceed,—on the contrary the first proposition for an adjournment came from me although it would give him Saturday and Monday to elaborate his reply. Therefore so far from any want of courtesy being exhibited upon this side, I think that even in this debate we have not shown ourselves insensible to the amenities which should characterise discussion in this House.—There was a reason why the debate should be urged on: The question was one in which the country was deeply interested and the people with hardly any distinction of party felt that in a matter of such magnitude, which had been concealed from the public gaze for two long months it was quite time that the true state of the matter should be made known. Therefore if I had been myself disposed to delay to meet the wishes of the government the interests of the great country outside these walls required an early investigation of the transaction.—Among the extraordinary instances cited by the Attorney General of the factious spirit in which this side of the House had acted on former occasions, he spoke of the discussion on the bill brought in in 1864 to build this very railroad. I was astonished to hear him say that when the gentlemen on this side found they could not defeat the measure, they claimed credit for coming forward to support it. That assertion places me in a position to say what I otherwise would not have said, and I tell him now in the face of the country and in the hearing of gentlemen who know what I say is true that at the time when the question was under discussion, and when it was unknown what course I should take on the question, I had placed in my hands by one of my friends and supporters, (but who was no friend of the Pictou railroad) the names to show that it was in my power to defeat the proposition for the extension. My friend will well recollect the language I used on that occasion.—I said to him that I would rather the government should continue fifty years in power than that I should debate myself and the party who had honored me with their confidences, by abandoning my political convictions, and repudiating the principles I had professed. Though I held at that time the power to defeat the bill and to overthrow the government, yet so far from acting factiously, that was the answer I gave to my own political and personal friend, and yet, in the face of that fact, the Attorney General, who received the

benefit of my assistance, and who carried his bill by it, has the good taste to rise and charge me with factious conduct. The Chief Commissioner of Railways ventured to make some similar observations although he did not go quite so far as the Attorney General;—he gave me credit for the support I gave the government on the question of education and on some other measures, and I tell him and the Provincial Secretary and the Attorney General, that without the aid of gentlemen at this side of the House, at this moment the country would have been without the great advantages which the hon member for Pictou assures us the government have conferred upon it. If at this moment the educational interests of the province are in an improved condition, it is due to the fact, that member on this side refused to do what a factious opposition could have done, and that they sacrificed their party interests to the interests of the country. I ask the Attorney General and Provincial Secretary, if on this very subject of Education our conduct does not contrast most creditably with theirs? When we were in power, the present Chief Justice introduced an educational measure into this House. Did we find the Provincial Secretary or the Attorney General coming forward like men and taking a full share of the responsibility? Not one of them.

Hon. ATT'Y GENERAL—I was in the Government that introduced the bill.

Mr. ARCHIBALD continued.—Then I tell the Attorney General that he was in good company for once, but how did his colleague act? Did he act in a way that would put it in his power to challenge the conduct of any member of this House? Did he sacrifice the attachment of his friends, did he alienate the feelings of any of those who usually supported him by coming boldly forward and declaring in favor of a Bill which he had it in his power to embarrass the Government by opposing? Let him make his own reply. Then the Commissioner of Railways talked of my being "hounded on" by the press to make this attack; now Mr Speaker, this is not one of the sins I am likely to commit. I fear I am not in the habit of paying as much attention as I ought to the fourth estate of the realm, I am afraid my error is rather on the side of undervaluing the press of this country. From time to time I have been the subject of calumnious attack in the press but so far as my recollection serves me I have never thought it necessary to write a single line in a newspaper—repelling these attacks. If I sought that kind of popularity that is obtained by riding upon every surge of popular opinion and by yielding to every passing prejudice and passion I might estimate more highly the position taken by the press from time to time, but I feel that behind the press, and more to be valued than the press itself, is the opinion of the class of people who judge for themselves, who look at things, not in their party or political aspects, but who judge of them as they are. It is the good opinion of these men—the good opinion of the sober minded—of the intelligent, of the thoughtful classes of the community which I appreciate and value beyond expression, and while I neither care

for nor court the popularity which is won without merit and lost without fault, I do feel that the greatest reward which a public man can seek is the esteem and respect of those who themselves deserve to be esteemed and respected.

The Commissioner of Railways says he has a desire to think charitably of his fellow men. I ask him whether, when he found me time after time assisting him and his friends on questions which brought me into antagonism to some of the gentlemen with whom I usually act, a very small exercise of his usual christian charity might not have led him in this instance to suppose it possible that in opposing them I was governed by motives as pure as when I supported them? The Provincial Secretary also charges me with ransacking the English language for terms of obloquy and reproach,—now my speech has been reported—is now in print before him. I ask him to take that entire speech and show me a single line or word that the chastest speaker in the Imperial Parliament might not have used without blame. The hardest language I used was the assertion that for two months the business of the Railway department had been conducted under false pretences. Does the Provincial Secretary deny it, or the Attorney General, or the head of the department? Then by what language other than the plain English, could I state the fact that for two months he who was only a contractor, was representing himself as Government Engineer, that he who assumed to be entrusted with the confidence and to represent the interests of the government in reality represented only his own interests? Does this House need more than the manly expressions of the hon member for Pictou to convince them that this position could reflect no credit on either the Government or Mr. Fleming, that it could be expressed in no other language than in the terms I applied to it. But what is the Prov. Secy's excuse? He admits the concealment, but says it was done to save the public money. Is that true? I do not mean to say that he has stated what he knew to be untrue but is the statement true in point of fact? On the 10th of January Mr. Fleming entered into the contract—by this contract he became chargeable with the entire amount due to contractors. The money to pay them was to come out of his pocket and the object of the concealment was therefore not to save the Province but to save the contractor. Away then goes the only excuse given by the Prov. Sec. for degrading the Government and the department. The Attorney General indeed says it was a part of the bargain. So that if his statement be correct, we have Mr Fleming formally insisting that not only should the work be handed over to him in utter disdain of law, but that the government should prostrate themselves in the dust before him and contract to act themselves, and to make the whole government act for months under false pretences to advance his interests, and this magnificent government on their bended knees accept the terms, and then allege the contract as an excuse for their conduct. The Provincial Secretary has had the good taste to speak of me as "the gentleman styled the leader of the Opposition." The At-

orney General, with the fertility of invention which distinguishes him, has repeated the ready made sneer—the member for Kings gave us the expression five or six times this afternoon. Now, sir, I have not given myself the title and if gentlemen with whom I generally act choose to use that expression, that is a matter for themselves; but surely, surely, from the government side of the house this language should not come. If I have dealt with their measures in a spirit of generous forbearance, if I have assisted them in disregard of the claims of party my conduct might justly subject me to reproof from this side of the house, but the petty sneer of the Provincial Secretary, and the miserable echo of the Attorney General, only show their utter incapacity to appreciate a generous act. The Provincial Secretary also charged me with acting unjustly, in dealing with the character of a public officer and in refusing to allow him to interrupt me to make an explanation which he said would show my arguments to be founded on a fallacy. I knew he was wrong,—I had done what he had not—I had taken pains to understand the papers and I was quite sure that if he spoke for an hour, he would not shake a single statement I had made, but I refused to be interrupted because I desired to set before the House a series of propositions. My argument did not depend on any one or two or three of the statements I made,—if even I were wrong in these there were still enough to make my argument unanswerable. The Provincial Secretary when I had finished speaking addressed the House for two hours, over and over again he spoke of the monstrous fallacy on which my whole argument rested. Now I put it to the House, is there a member here, who on the spur of the moment, can tell me not what the fallacy was, for there was none, but what the Provincial Secretary said it was? After spending two hours on his address and undertaking to show this monstrous fallacy, in common justice to his own Engineer he should have left no doubt on this point. Now I will tell him and shall tell him in such a way as that even my hon friend for Halifax, if he will listen to me, can be made to understand, that there is no fallacy at all, that the facts are just as I stated them, and that the conclusions I draw flow irresistably from the premises. In order to make the matter intelligible I will call attention to the letter of Mr. Fleming of 6th April, 1865:

In that Letter he says:—

"On the 24th November last, I submitted to the Government the following approximate Estimate of the Expenditure required to complete all services connected with the extension, except Rolling Stock."

Then follows the estimate; but being desirous of obtaining the original document, I asked the Government to lay it on the table.

That report is as follows:

Mr. Fleming's estimate to complete Pictou Railway extension, based on Tenders, now received and compared.

Lowest acceptable Tenders for Sections (say)	\$965,000
Allowance for Extras on Section Contracts—	
Foundation to Bridges &c., Road-Crossings—Cattle grounds—gradings by Stations and sidings &c. &c.....	250,000

Iron Girders	140,000
Superstructure 50 Miles at \$10 600	530,000
Station Buildings, Water service, Engine Station, Turntable &c. &c. 50 miles at \$300	40,000
Steam Ferry Boat, and Wharves at Pictou and Fishers Grant	30,000
Engineering &c. 50 miles at \$1200	60,000
Contingencies 10 per cent on above	201,500

Say \$2,220,000

\$2,186,500
That is the Estimate of Mr Fleming. Then comes Mr. McNab's estimate contained in his letters of 2d January, 1866, and based as Mr. Fleming was on the tenders previous y received. Now let us look at it.

Mr. McNab's Estimate:

Roadway and Works—comprising clearing and Grubbing, earth and rock excavation, draining works, piling and all foundation works, masonry, iron-girder bridges, &c.,	\$1,574,736
Superstructure—comprising iron rails carriage and distribution of same, improved splice joints, switch plates and frogs, spike, ties, ballast, track-laying, with an allowance of 5 per cent. additional on the whole length of road for sidings	570,906
Ferry Service—including steam ferry-boat and wharves at Pictou and Fisher's Grant	30,000
Station Accommodation—embracing way and terminal stations, engine house, turn-table, &c.	40,000
Engineering—comprising cost of explorations, preliminary and location surveys and superintendence of works	70,000

Total

\$2,285,732
Being \$169,232 in excess of the proposal made by Mr. Fleming.

The first item in this estimate is roadway and works, and is put at \$1,574,736. This includes the same services as in Mr. Fleming's estimate are stated at \$1,355,000. Now as to the section work, Mr. Fleming and Mr. McNab had the same quantities and prices. The result, therefore, so far as the section work was concerned, was matter of arithmetical computation. They had a common road to that amount. Mr Fleming makes it \$965,000. Mr. McNab must so far have arrived at the same result. The only difficulty that could exist would be as to what was outside of that \$965,000. Now deducting that sum from Mr McNab's \$1,574,736, we have \$609,736. Deducting it from Mr. Fleming's \$1,355,000, we have \$390,000, therefore that which Mr. Fleming puts down at \$390,000 Mr. McNab computes at \$609,736. If Mr. McNab is right, Mr. Fleming is astray in this single item to the extent of 60 per cent. But says the Provincial Secretary, Mr. Fleming in his estimate, allows for contingencies \$201,500 which does not appear in Mr. McNab's estimate. Now says the Provincial Secretary on his own argument, does he not see that he could only have estimated the contingencies on that item so that instead of estimating the whole \$201,500, all he could allow would be 10 per cent. on \$665,000. This would give him \$66,500, which added to the \$965,000 would have yielded a product of \$1,061,500, so that if

the Provincial Secretary were right and it were proper to add contingencies, though the difference may not be as I made it, \$609,000, it would still be \$613,236. Therefore giving him the benefit of the entire argument, admitting all he claims, he shows that if Mr. McNab is right, Mr. Fleming is still astray over 32 per cent. But, unhappily for Mr. McNab, the Provincial Secretary is wrong. Let me turn the attention of the house to the 36th page of the Appendix of the Journals of 1865, where the contract is printed under which the sections were to be done. The words of the contract are as follows:—

"The Contractor shall assume all risks and contingencies that may arise during the progress of the work, and shall make good at his own cost all defects and failures, whether from negligence on the part of himself or workmen, or from bad workmanship, or from the use of improper material."

Risks and contingencies, therefore, are borne by the contractor, and form no part of the calculation. Mr. McNab should have looked at this before he made his estimate. The Provincial Secretary should have looked at it before he delivered his argument. As no contingencies could occur in the section work, there is no basis for the argument of the Provincial Secretary, but if there was it does not much improve the position of this officer. The hon Provincial Secretary has coolly told us that if—in a matter in which Mr. Fleming is unquestionably a judge—Mr. McNab undertook to make a statement 60 per cent. above Mr. Fleming, he ought to be sent to the Lunatic Asylum. But even giving the Provincial Secretary his own way, his officer is 32 per cent. astray, and I ask if an error of 60 per cent. should consign him to the Asylum, where should he be sent for an error of 32 per cent? Perhaps the Commissioner of Railways, with his arithmetical attainments, might cypher out that question. If he fail he might call to his aid the hon. member for Inverness (Mr. McDonnell), who the other day so happily expressed his capacity for abstruse calculations. I am not, however, quite so hard on the engineer as the members of the Government are. He may be an inferior officer and still not exactly fit for the Asylum. I will now turn to the Railway Commissioner who undertook to enlighten the House on the subject of his miscalculations. When he commenced his speech, he informed the House in solemn tones that he could satisfy us, by the most convincing proofs that the arrangement was an economical and valuable one, and that the position I had assumed could not be sustained. I felt that my propositions were about to be grappled with; the Pro. Secretary had kept himself at a respectful distance from my calculations. He gave us, it is true, one or two of his own of a general character, but these were only sufficient to show that no man here is a better judge of the Provincial Secretary than he is himself, and that he did wisely to keep clear of calculations. Had he not done so, he would have put himself as much in my hands as the Chief Commissioner has done. There was one statement the Railway Commissioner made which it was refreshing to find we could all assent to. In the honesty and integrity of his heart he said (and when he had concluded his speech there was not a man here who doubted his assertion) that he had

not taken five minutes time to consider the question. Every statement he made—every word he uttered—showed the entire truth and accuracy of that assertion. But I might fairly ask him, if he has not done so in a matter lying within his own department,—in a matter in which, under his own hand, he bargains away two millions of the public money; in a matter in which he of all others has a peculiar responsibility, why has he not done so? Why when he is paid at the rate of \$2,400 a year for attending to this very matter, has he, I was going to say the *effrontery* to come here and tell us that, on this great question, so far from being able to give the House any reliable information he has not devoted five minutes to its consideration. If, instead of building 50 miles of railway he had been negotiating the sale of 50 barrels of apples, would he not have given to it more time and thought? He had hardly opened his mouth before he showed us that he did not even know the length of the road he was building. Does the House at this moment know what is its length? On the 24th September, 1864, Mr. Fleming makes a report in which he describes 8 distinct lines between Truro and Pictou, specifying their several lengths and recommending the one he calls No. 8, which is 48½ miles long. On the 5th October, 1864, the Government in solemn conclave assembled, confirm the selection of that route. On the 5th April, 1865, Mr. Fleming makes another report again, referring to No. 8, as the line comprised, and up to this moment there is nothing to show that any attention has been made. Who, then, is to be believed? The Commissioner tells us it is 52½; the engineer and the Government in a body say it is 48½, and the Pro. Sec. says 50½. Was there ever such a spectacle exhibited by any Government in the world. Documents, and the order in Council show the entire length, yet the head of the Department disagrees with the Chief Engineer; the leader of the Government disagrees with his own order in Council. Is there any certainty that it has been measured at all? But suppose we take the average of the three distances, and consider the Pro. Secretary's statement, which is about an average, to be correct,—what follows? If the 48½ mile road, when laid upon the ground has been altered to the extent of a mile and a half in 50 miles, does not every one see what we are getting under the contract? That crooks added to its length are equal to three per cent; that instead of cutting through the hills the road has been carried round them, thereby adding to the length a mile and a half of curves. Taking then the Pro. Secretary's statement as an average, we have a serious degradation in the character of the road, and yet do we hear any thing of this from Mr. McNab? Does he tell the Government that this serious alteration will benefit the contractor, and him only? The Commissioner thinks it is a sin for gentlemen on this side to try to understand the question before voting for it. Does it not occur to him that gross as may be the sin, it is an infinitely greater sin in him to fail in discharging the duty he is paid to perform. It is quite clear that up to this hour the Commissioner of Railways either does not know, or if he does, he has in his speech given us no reason to believe that the road now being built is not the road to which Mr. Fleming's

estimate referred; in his whole argument he never alluded to the difference between the road proposed to be built and the road contracted for. In order that I may not be charged with misinterpretation I will read from his speech:—

"Any gentleman will see at a glance that the Province has saved an immense amount by the arrangement that has been made with Mr. Fleming. The gross cost of the road—that is, of the kinds of work that the prices of the first contracts embraced, amounted to \$965,000 as I previously stated."

It was not a matter of speculation what this public work would cost, but it was possible to ascertain, within a few thousands of dollars, the actual expense of this undertaking. Instead of taking tenders for the completion of different sections of the line, for a lump sum, we took them on certain stipulated prices for certain descriptions of work that had to be performed. When these tenders were received, all that was required on the part of the Chief Engineer was to make a careful calculation of quantities, and then he had the entire cost of a particular description of work on this road. In the first place, I wish to call attention to the fact that when these calculations were made it was ascertained that the cost of various kinds of work amounted to the sum of \$365,000 or little less than a million of dollars. I shall now undertake to prove that, assuming the work could have been performed at the prices stated in these tenders, the road would not have been built at a cost less than the amount for which Mr. Fleming has agreed to construct it.

Now let us examine this proposition. He starts with the assumption that the whole amount which the contractors undertook was \$965,000. Surely by this time at least, if he knew nothing of the matter before, he might have learned from the debate that Mr. Fleming's estimate referred to a road entirely different from the one which the persons whose tenders were accepted contracted to build.

Let us look at the report. Mr. Fleming, on the 24th November 1864, furnishes a statement of what the road, then contemplated to be built, would cost. He puts it at \$2,216,500, exclusive of rolling stock. He puts the rolling stock at \$98,000. He makes the whole \$2,314,500. The government tell him that is too much; they wish the expenditure reduced, if possible, to two millions. Mr. Fleming meets their wishes on the 6th April, 1865; he reports that he had "made considerable alterations and changes in the specification, in the gradients, and in the curvatures," and he confidently hopes the result will be that it will "reduce the expenditure to an amount, if not within, at all events not greatly exceeding, \$2,000,000."

Now, sir, as I read that Report—as any indifferent person would read it—the conclusion is inevitable that the alterations made border closely on \$314,500. We have seen one of these alterations by which 1.9th was struck off the width of the entire road. That was only one, which was exhibited on the face of the documents. The increase in length made to avoid difficult cuttings and embankments does not indeed appear from the documents, but we have it on authority which the government cannot question. That is another, and there would be no difficulty by an alteration in grade much less in proportion than that made in the curves, to find the elements of a saving far exceeding the whole \$314,500, which Mr. Fleming undertakes to make. But let us pass to another matter. The Commissioner tells us:

"I have taken some little pains to ascertain what

proportion of the expense of a railway this sort of work embraces, and from reliable data I am led to the conclusion that under ordinary circumstances it is about half the actual cost."

I shall presently show that he is quite astray. But assuming for the moment that he is right, the calculation of the section work covers only one-half of the cost, and if Mr. Fleming has saved himself by the charges \$300,000 for the work, one-half of this, or \$150,000, is applicable to the section work; Deduct it from the \$965,000 of the estimate, and we have \$815,000 as the cost of the section work as reduced to the measure which the chairman himself produces, instead of \$1,061,500—a slight difference of only \$246,000, one which Mr. Longley describes as one-half the road; and that is the style of information with which the gentleman paid to understand this matter undertakes to mislead the house. How the Commissioner has obtained his information he has not instructed us, but I have a right to suppose that a gentleman presiding over the Railway department, and having command of the services of the officers of that department, has been assisted by the Chief Engineer. I have a right to treat the calculations as those of Mr. McNab. The Chief Commissioner comes here with the power of getting accurate information, he has a right to obtain it from the men paid from the public funds to furnish it. Now if the information he brings is of a character entirely to mislead, how great is the responsibility resting on the Chief Engineer. The Commissioner would hardly dare to bring the statements he has done, unless, to use the elegant language of the Prov. Sec., he had been "crammed" for the purpose. The Prov. Secretary talked of my being crammed by a disappointed contractor—I will tell him that whether the calculations I laid before the House are correct or not, I alone am responsible for them. It is true that after making them from materials in the hands of every member of this House, and open to every man who can read, I did submit them to the examination of gentlemen well qualified to judge, and I had the satisfaction of being informed that there was not an item but might bear the most rigid scrutiny. I therefore came crammed by nobody; but if the Prov. Secretary thinks fit to apply the term to me, he cannot think it offensive when applied to his subordinate.

Now let me try the calculations of Mr. McNab, the man behind the mask of the Railway Commissioner, by comparisons to which the Prov. Sec., at least, cannot object. Let us take Mr. Laurie's estimate of the section work, printed in the Journals of 1859. The Prov. Sec. said that gentlemen on this side seemed inspired all at once with a great respect for Mr. Laurie, and place great confidence in his calculations,—I tell him that our opinions of that gentleman are not the question, our argument is addressed to gentlemen opposite, we don't ask them to listen to the opinion of our friends; we offer them evidence, which, in their minds, ought to be above suspicion, and therefore I have based my whole arguments upon such evidence. The Prov. Sec., not as a member of this House, but in his capacity as a newspaper editor, has undertaken to say that I have collected absurd and silly rumors, and made them the data of my address; but I tell him that from beginning to

end, I have most scrupulously avoided any reference to rumors. I had, indeed, under my hand documents relating to this work, which if I were to use, would very much surprise and astonish the House, but I felt then, as I feel now, that I would be doing injustice to myself and to this great question if I asked you to discuss it on the basis of any rumor or any statement other than those contained in the public documents which the Government themselves have laid before the House. The hon. member for the City of Halifax has eulogized Mr. Fleming in warm language. The worst that I have said of that gentleman is to suppose that he is not exempt from the frailties to which all railway contractors are subject. Nor have I made a single imputation against the integrity or personal character of Mr. McNab. I have argued throughout as if Mr. Fleming was as good as any other Railway Contractor. I assume that Mr. McNab was entirely honest; but I showed, by documents under his own hand, that honest though he may be, he has proved himself unfit for the position he occupies. Let me return now to Mr. Laurie's estimate, made in 1859. That gentleman puts the entire cost of the road at £520,225. But he included for interest during construction, £35,000; for locomotives and rolling stock, £34,850; so that the cost of the road without these items would have been £450,375. Of this sum the estimate makes

For grading and bridging.....	£308,596
which includes for superstructure of river bridges.....	20,500
So that what is called the section work is estimated at.....	288,075
All outside of the section work costs.....	164,800
	£450,375

But Mr. McNab, (if the Railway Commissioner gives us his information) declares that this is all wrong, and that what Mr. Laurie estimates at £162,000, he ought to have estimated at £288,000. But suppose Mr. Laurie right. Then if, as the Chief Commissioner tells us, the section work should cost \$1,000,000, all the other work in the proportion of Mr. Laurie's estimate would not exceed \$600,000, and Mr. McNab and the Chief Commissioner would be just \$400,000 astray.

But Mr. McNab may decline to be judged by Mr. Laurie. The Commissioner of Railways may not think his authority conclusive; but there is one gentleman who, in the mind of the Commissioner, is beyond suspicion—Mr. Fleming, at all events, is a model engineer—

"Mr. intercourse with Mr. Fleming has shown me that he leaves nothing to chance."

This is Mr. Longley's declaration of the character of Mr. Fleming. Let us, then, try the Chief Commissioner by his own model:—

Mr. Fleming, in his Estimate for the Intercolonial Road, puts the cost of bridging and grading from Truro to Moncton at.....	\$2,693,000 00
Apohagen to Riviere du Loup.....	7,615,500 00
And for clearing and grubbing 449 miles @ \$1,060.....	449,000 00
	\$10,857,500 00

This includes superstructure of river bridges, 5384 tons of iron, @ \$140... 711,760 00

\$10,145,740 00

And 10 per cent. contingencies included in his computation.....	1,014,574 00
Cost of what, in the Pictou Estimate, Mr. Fleming calls the section work.....	\$11,150,314 00
Now the total cost of the road by Mr. Fleming's Estimate, is.....	\$20,835,608 00
But this includes Rolling Stock at \$3000 a mile, equal with the contingencies thereon.....	1,481 700 00
So that, without this item, the cost is.....	\$19,153,800 00
Which is divided as follows:—	
Section work.....	\$11,160,314
Rest of the work.....	7,993,486
	\$19,153,800 00

The Railway Commissioner and Mr. McNab say this is all wrong, and that what Mr. Fleming puts at less than 8 millions of dollars, should have been put at over eleven millions. But suppose Mr. Fleming to leave nothing to chance: suppose him to be the man which the Chief Commissioner has asserted he is—then, if the section work on the Pictou line can be done for one million of dollars, the rest of the work should in proportion cost \$727,000, and yet Mr. Fleming gets for it, under Mr. Longley's own contract, \$1,165,000, or over \$400,000 more than its value.

Now, Mr. Speaker, I ask what does this House think of the information which the Chief Railway Commissioner has brought here? If it is his own, how unworthy of his position to bring here what cannot stand the test of the slightest examination. If it is Mr. McNab's, does the House require anything further to convince them that it is in entire accord with the Report which bears his name, and which I criticised in moving this Resolution. What security has this House or the country in the engineering capacity of the man who can be capable of blunders so gross—of mistakes so enormous?

But, let me ask this House, whether the statements which the Chief Railway Commissioner has compelled me to examine, do not afford the clue to the whole transaction? You are told that Mr. Fleming has undertaken to do the work at the prices at which other contractors were ruined. You are told by Mr. McNab that an engineer of skill and resources can save himself where men unskilled and without means would be destroyed. But you are not told what is the fact, that Mr. Fleming gets for that part of the work which the contractors never undertook to do, several thousand dollars more than it is worth. You are not told that with this enormous bonus given to him, with the large amount of work which has been done by the Contractors, at the low prices they have received, handed over to him, done for him at the expense of the men who have been ruined, he need not do the rest of the work at the same rate. He can well afford to pay much higher for the section work, and still have an immense margin from which his profits may come. It is quite clear that Mr. Fleming has protected himself by exacting for other work prices immensely beyond their cost.

Now let me prove this by other evidence which the Provincial Secretary has had the goodness to furnish the House within the last day or two:

Mr. Fleming, in his estimate of the cost of the Iron Girders, puts it down at \$140,000. Now

what do the papers on the table of the House declare?

Mr. McNab tells us that the Rails and Iron Girders were ordered when he made his Report of the 2d of January. The Provincial Secretary tells us that Mr. McNab knew the cost when he made his estimate. And yet, what do we find? The papers show that the only Bridges then ordered—the only Bridges as I read the papers in tended to be ordered, are a Warren Iron Girder for New Glasgow, and a common Girder for the end of the road. The Warren Girder is for four spans of 80 feet each—a width in all of 320 feet. This will cost, according to Mr. Livisey's Letter of the 11th November, 1865, \$10,500. The other Girder is for three spans of forty feet each, or 120 feet. This is cheaper than the other, but counting it at the same rate, it would cost \$4,030. Thus, the two Iron Girders as yet ordered, will cost \$14,500.

I may read incorrectly, Mr. Fleming's Letter of the 21st December, in which he speaks of these as all he requires. But one thing is clear to anybody who knows anything of the general character of the line of Railroad to Pictou, that the only two rivers of any magnitude on the whole line are the very rivers which these Bridges are intended for—the East River at New Glasgow, and the Black River at Georgetown. Is there a man in this House so entirely ignorant of the character of that county as to imagine it possible that all the rest of the bridges that can be required, if there be any, can equal in cost the price of these two? And yet, Mr. Fleming has put down \$140,000, and Mr. McNab who knew the fact—and who tells you so—that these two bridges only cost \$14,500, does not breathe a syllable to the Government, who are asking his advice to let them know that this monstrous estimate was beyond the wildest of possibilities.

Now, surely, the gentlemen in this house who modestly disclaim all knowledge of the elements of arithmetic, even the learned member for Inverness might, if he were to strain his intellect, be able to comprehend this statement. The hon. Prov. Secretary will hardly undertake to say that these are vague rumors, or the crammings of disappointed contractors.

I shall not repeat the calculation I have already submitted to the house of the probable cost of iron girders, derived from the estimate of Mr. Laurie, and from the estimate of Mr. Fleming, on the Intercolonial Road. The house will recollect the general results, and see that what I proved by the estimate of these gentlemen is entirely corroborated, and made irresistible by the evidence which the papers just submitted afford from the mouths of the Prov. Secretary and Mr. McNab themselves. I pass on now to another branch of the case. The Commissioner of Railways has told us that Mr. Laurie's estimate of the cost of the road was \$12,000 per mile, and the Prov. Secretary has asserted the same thing. Now let me see what Mr. Laurie himself says; his entire estimate for 42½ miles is £520,225.

The Provincial Secretary then says, "If that be a fact, we have the road for £2000 per mile

less than Mr. Laurie's estimate. I can comprehend the Commissioner of Railways making such a statement, but I was hardly prepared for its being endorsed by the Leader of the Government. Suppose I receive two tenders for the erection of a house, one for £1,000, and another for £1,200, the cheapness of one or the other depends on the character of the house. Now I have made a sketch of the comparative cost, and it may be useful to show that the Provincial Secretary should not have ventured even the few figures with which he has favored the House without understanding them. The £520,225 put down by Mr. Laurie, includes interest and Rolling Stock, and 4½ miles of sidings. Now, let me show the House the following—

COST OF A MILE OF RAILWAY BY MR. LAURIE'S ESTIMATE:	
His entire estimate is.....	£520,225 0 0
He counts interest during construction.....	£35 020
Rolling Stock.....	84 859
4½ miles of Sidings, of which 2½ are equal to 5 per cent. as in Fleming's contract: 2 3-8 at \$24'0.....	5,700
4800 yards ballast—8000 on Pictou road; 1000 yards off, @ 2s.....	8,490
99 tons Rails: 88 tons off; 11 ts @ £12:—£182; 47 miles, @ £123.....	6,204
Carriage and distribution—1½ of £100, £17 15 0.....	882
	£91,036 0 0

Total cost of 4½ miles of such road as Fleming contracts for..... £429,189 0 0
Or £10 098 per mile.

¶ So that Mr. Laurie's estimate applied to the very road which Mr. Fleming is building, instead of making the cost £12,000, as stated by the Provincial Secretary, is only £10,000. Now, I ask, am I intelligible to my own friends only,—do not gentlemen opposite know and feel the force of these facts? I fear that there are in the opinion of some members interests far higher than the interests of the country, I mean the interests of party. I do not expect these gentlemen to change sides, all I seek to do is to convince every man on that side of the House that votes for the ratification of this contract, that he can do so only by sacrificing the best interests of his country in his determination to support the Government. When I introduced the Resolution before the House, I remarked that Mr. Laurie's estimate was in all probability high. I am convinced that I was right, and will show my reason for that belief. On the 23rd February, 1859, as the Journals show, there was this singular state of affairs: we were about going to the country, the Pictou Railway was likely to be the subject upon which the elections in some counties were to turn, and Mr. Wilkins moved the following Resolution:—

“Whereas, it cannot be expected that the trade and intercourse between Halifax and Truro can remunerate or even pay the working expenses of the railway terminating at the latter place, and it is desirable that a communication by railroad should be opened into the Gulf of St. Lawrence to command the Gait trade of Canada, New Brunswick, Prince Edward Island, and other places in the Gulf, and also with the coal mines of Pictou:—

Resolved, That it is the opinion of this House that the Commissioner of Railroads should forthwith proceed to extend the road to Pictou, and complete the same with as little delay as possible.”

What was the position of the Government?—On the 23d Feby., Mr. Wilkins, representing the county of Pictou, was pressing on them the necessity of constructing that road, and placed on the table his Resolution. It did not come up immediately for discussion; it was ordered for the 23rd of March, and the attitude which the Government was going to assume was that the finances of the country were not in a condition to enable them to build the road,—they were going to represent that this policy was justified by the magnitude of the cost, and on the 19th of March, a few days before the debate came on, Mr. Laurie's report was laid on the table. The Government produced it to satisfy the House then as to the propriety of their course, just as Mr. McNab's report is here to vindicate the policy the Government has pursued. Mr. Laurie's report which bears date the 15th March, and was therefore made after Mr. Wilkins had introduced his resolution, was laid before the House to show that the road was so costly that it was impossible then to build it. On the 30th March, 1859, four days after the presentation of the Report, the Financial Secretary defined the policy of the Government, in the following Resolution moved by him on that day:—

“Resolved, That in the present state of the Finances of the Province, and until the experience of another year shall have tested the remunerative character of the Railway already constructed, this House would not be justified in increasing the debt of the Province so largely as would be effected by the extension of the line to Pictou during the present year.”

Therefore the course which the Government had to mark out, between the date of Mr. Wilkin's resolution and the date of this amendment was that the cost was exceedingly large. But, says the Pro. Sec., do you suppose we could instruct an Engineer as to what report he should make?

The Government,” says the Provincial Secretary, “when they undertook to deal with this important question of the construction of a railway to Pictou, called upon Mr. Laurie to organize a staff of engineers for the purpose of surveying the line. What may be the line of conduct that hon. member has thought proper to pursue, in dealing with engineers, I am not aware, but he intimated to the House that the Government had told Mr. Laurie to exaggerate the cost of the work as much as possible. I tell him that there is no member of the present Administration who would not consider he was unworthy of his position if he was capable of endeavoring to originate a report that would mislead the Legislature.”

Now if the Provincial Secretary had confined himself to this, we might have accepted his indignation as real; we might have supposed him incapable of the act he so indignantly spurns,—but he has hardly finished that sentence before he makes this announcement:

“Mr. Laurie, knowing how anxious the Government were to carry out this public work, and to bring its expense within the smallest compass possible, reported as follows.”

Now, if the anxiety of the Government to

have the road built cheaply could modify Mr. Laurie's report, and induce him to make the estimate low, what if the anxiety of the Government were the other way? What if Mr. Laurie believed and knew that the whole case of the Government depended on his making the work appear costly, and beyond the resources of the Province? I ask, then, if I have not laid fair grounds for stating that Mr. Laurie, in making his report, made it with the knowledge of what the anxiety of the Government was, and with the desire to represent it as expensive as was consistent with his character as an engineer? With all these influences operating upon him, what does Mr. Laurie do? He does not even then put the amount, making the necessary deductions, over \$10,000 a mile. I ask, is not that a pretty convincing fact as to the nature of the bargain that has been made?

If I did not feel that the Commissioner of Railways is here in a mask, and Mr. McNab is, in reality, addressing us, I should not dwell so long on the observations of that gentleman. He tells us that the item for contingencies is intended to cover subsidies, but this is just what it does not do. Subsidies do not take place to any extent during construction, and Mr. Fleming is in such a position that whenever he builds a mile of the line that moment he is entitled to be paid for it. The contracts on the former railroads provided for a year's up-holdence, but in these every farthing of the cost of restoring the works to their original condition is to come out of the treasury after paying Mr. Fleming the entire amount of his contract. Therefore the Province, and not Mr. Fleming, has to bear the expense of subsidies which previously fell upon the contractors. In his first day's speech, the Railway Commissioner told us he had not had time to consider the question. On the second day he comes here with columns of figures. I have tested the value of some of them, and I will do the same with some more of them when I come to deal with the Attorney General. Of that gentleman I may say I do not think it would have been necessary to cram him on Railway matters. He was the chairman of a committee who, for three weeks, had nothing else before them, and who ended by mulcting the Province in an enormous sum for railway extras.

HON. ATTY GENERAL—I have had no communication with Mr. McNab since the commencement of the debate.

MR. ARCHIBALD continued—Then I tell the hon member he is wrong,—he should have come here after calling to his assistance the best information the department could afford—he should have sent for Mr. McNab and told him, here are charges against the correctness of your estimates, are they founded in fact or not? His calculations then have not even the stamp of Mr. McNab, and he has come here to discredit his own officers, to tell us on the strength of his own opinion that the calculations of such engineers as Mr. Laurie and Mr. Fleming placed upon the public records of the country are unsound and unreliable. These are the authorities against which the Attorney General pits his private opinion. All I have to say is that if I find gentlemen ranging themselves in support of the Atty. Gen's. opinions and discarding those of skilled engineers which the Provinces have paid for, I may fairly conclude there is something in the minds of some

members superior to the interests of the country, and that they think that whatever becomes of those interests, the interests of the gentlemen composing the government must be sustained. Mr. Fleming has estimated the cost of a mile of railway superstructure on the Intercolonial road, and I want to shew how that compares with Mr. McNab's estimate for the Pictou road, laid before us in the Railway Commissioner's speech. The Attorney General has talked of the fish fastening. There are some loose fish in the world, but these are said to grasp pretty tightly sometimes. The Attorney General tells us there is a great deal of difference between roads built with and without this fastening. Mr. Fleming puts the cost of a mile of superstructure on the Intercolonial line at \$10,500; I am justified in assuming that road to be equal in point of superstructure to the Pictou road,—it certainly excels in two particulars, and yet the Attorney General says there is in the fish joint something which increases considerably the cost of the Pictou superstructure. I am afraid he can hardly say anything without throwing discredit on the men who have been paid to advise him.

MR. FLEMING, in giving us the character of the superstructure of the Intercolonial road, says:—

“With regard to the rails and their fastenings I would recommend a rather heavier pattern than has commonly been employed in this country, with the “fish,” or some equally good *splice joint*.”

“In the estimate I have allowed for a rail weighing, with the joint fastenings, 70 lbs. per lineal yard. On a railway such as the one proposed, with heavy grades, and, as a consequence, with heavy engines, I think this weight of rail, although costing more in the first place than a lighter one, will ultimately give greater satisfaction.

“The joint fastenings are intended to be the most effective and reliable made, on account of the severity of the climate of this country.”

I would ask the House what they would think of an engineer undertaking to make a road for the traffic of an entire continent, furnished with fastenings of the best and most reliable character, with “fish” fastenings, and yet undertaking to say that a better style was necessary on the Pictou road? I ask the Attorney General if, out of the mouth of his own witness, he has not shown that the question of the superiority of fastenings does not enter into the discussion at all? The Intercolonial line was to have those of the best, and I was therefore perfectly right in drawing the contrast without taking the fastenings into consideration. I was right in assuming that that road is to be at least equal to the Pictou road; it ought to be far superior. It is superior in the quantity of the ballast and in the weight of the rails.

Now I wish to test the accuracy of the Railway Commissioner's computation for the cost of the superstructure. I will give Mr. McNab credit for this calculation. It is just about as near accuracy as the others from the same source with which I have had to deal:—

Mr. Fleming estimates the cost of the superstructure of the Intercolonial road at \$10,500 per mile.

Now, suppose we take Mr. Fleming's quan-

ties and Mr. McNab's prices, and we shall see where we land—

<i>Cost of Superstructure.</i>	
110 tons of rails at £13 per ton.....	£1430 0 0
5000 cubic yds. ballast, at 2s.....	500 0 0
Other items by Mr. Longley, or McNab.....	95 12 6
	£2925 12 6
Add ten per cent for sidings,.....	292 11 3
	£3218 3 9

Equal in Dollars to.....\$12872.75

According to this estimate the cost of every mile of the superstructure on the Inter-colonial road is.....\$12872.75

But Mr. Fleming has estimated it at only.....10500.00

He is therefore beneath the correct sum for each mile by.....\$2372.75

upon the showing of Mr. McNab and the Chief Commissioner. Now apply this to the 449 miles of the Intercolonial road and we have the astonishing result that according to the two gentlemen whose opinions ought to be an authority in these matters, Mr. Fleming in his estimate of the Intercolonial railway, in a single item, costing less than one quarter of the whole, is astray \$1,065.038. Yet the man who has made this mistake the Chief Railway Commissioner lauded as a model engineer—who leaves nothing to chance. Surely he ought not, for the credit of his own character, to have convicted him of so monstrous a blunder. But the house will have no difficulty in deciding on whose shoulders the blundering rests.

Let us try the Chief Commissioner's calculations in another way. He and the Attorney General have put the iron at £13 per ton. Mr. McNab says that the iron was ordered before his Report. The papers lately laid upon the table shew it; therefore those gentlemen were both aware of the fact that the iron was costing only £7 10s. stg. per ton. I was astonished, after asking to have laid on the table all the papers on this subject, to find that the last paper touching the cost of the iron, was dated 23rd December, before Mr. McNab made his report. The cost is £7 10. But I do not depend on these papers for the fact; I knew it before. I have in my possession information of the most reliable character that £7 10s. was the price, and that it was a high price to pay. Yet the Attorney General and Commissioner of Railways come here and dare to tell the House, many of whose members are merchants, that the charge for importation and exchange, without duty, raises the cost to £13 per ton. Does not every one know that 50 per cent. on the sterling cost is sufficient to cover the cost of freight and exchange and commissions, and pay a duty of ten per cent. besides. Forty per cent., therefore, is sufficient in the absence of any duties; so that the iron should cost but £10 10s. These gentlemen have undertaken to add to this sum £2 10s. a ton, to shew how great a bargain had been made with Mr. Fleming. Was that the treatment due to the House from a Government with these documents in their hands? Did they expect us to

accept their statement of the cost of iron when every mercantile house in Halifax know from their own prices current that the cost of iron is only £7 10s per ton? I ask them if I come here and find calculations based on such statements as these, am I not justified in entertaining suspicions? But the Attorney General may say Mr. Fleming's estimate was made this time last year, and the prices have largely increased. It is not so. I find in the prices current from some houses of eminence in England exactly the same quotations at the date of Mr. Fleming's report, so that the basis of the estimate so far as iron is concerned was the same then as now. I will now refer to another mode of testing the calculations submitted to the House, and if members opposite will, instead of regarding me as a political opponent, consider me, for the moment, only as an arithmetician, they will see whether my computations are not according to the most approved forms of the model school. I will take Fleming's quantities for the Intercolonial road, and Laurie's prices, and if by these two I bring out a larger sum than Mr. Fleming brought out, is not the inference that the prices estimated by Mr. Laurie were excessive?

<i>Cost of a mile of superstructure of Intercolonial Railway on Mr. Fleming's quantities and at Mr. Laurie's prices, assuming it to be equal to Pictou Railway, contemplated by Mr. Laurie in everything except ballast and rails, and superior in the other items.</i>	
5,000 cubic yards ballast at 40.....	\$2 000 00
110 tons rails at \$48.....	5 280 00
Cost of items other than above per Laurie.....	2 960 00
	10,140 00
Add ten per cent for sidings.....	1,014 00

Intercolonial at Laurie's prices.....11 154 00
Intercolonial at Fleming's prices.... 10 500 00

Laurie's prices above Fleming's..... 654 00 per mile

The Chief Commissioner of Railways has undertaken to condemn my conduct in this matter. He says I have acted against my better judgment. I have already indicated the inference he might simply, in the exercise of that Christian charity with which he loves to contemplate the conduct of his fellow men, have drawn of the motives of my action. But he has given us a narrative of his own conduct. He tells us how he came to vote for the Pictou Railway. He says "it was an act of abnegation to do so;" but he had hardly got the words out of his mouth before he told us that he had first made his bargain, and that he voted for the Pictou Railway only on a pledge to get the Annapolis Railway in return.

Now this act of abnegation, priced and paid for in the market, may be a Christian virtue, but it looks to me like a shameless traffic in public money. Take the Railway Commissioner on his own showing, take the Provincial Secretary as his Commissioner paints him, we have those two gentlemen, like the two heads of the Fenian faction, meditating a raid on the Public Treasury; and the only strife between them is, who shall be first to pocket the plunder. This one might imagine in a Roberts or an O'Mahony, but the most vivid fancy could hardly picture one of these worthies, after the shameless bargain was made, and the raid committed, and the plunder pocketed, talking of his share in the transaction in tones of

Christian humility, characterizing it as an act of virtuous abnegation.

Now if the story the Railway Commissioner tells us be true—and who can doubt it, may we not imagine a little more—may we not fancy the dialogue between the member for Annapolis and the Provincial Secretary when bargaining for the vote. Fancy the Provincial Secretary asking what consideration would be sufficient. Fancy the member for Annapolis declaring himself to be an humble man—to be ready to do any reasonable act of abnegation—and suggesting that he would have no objection to vote as the Provincial Secretary wished if he could get in return a Railway to Paradise. Suppose the Provincial Secretary to consent, if that was all that was asked. Imagine the reply of the member for Annapolis—“The road to Paradise is a very good thing; but then it is a road which the Western Christians in general can travel. Can you not throw in something for an humble man in particular?” “To be sure,” might be the reply, “there is the Chairmanship of the Railway. That is just the thing. You know that you proposed yourself to reduce the salary to \$1,000. You said that was enough for any man who filled that office. You shall have it at the salary you have named yourself, and we shall have the merit of ‘nobly redeeming our pledges’ by saving \$1,400 a year.” “Nay, my dear friend, don’t tempt me. Don’t you see if I were to take the office at such a reduction, I should appear to be aiming at human praise. Let me have the whole salary. I will bear the reproach of men. I will deny myself and take the pay!” And take it he does, and the abnegation is complete.

Now we don’t know that all this took place. But the moment we admit that what the Railway Commissioner himself has told us is true, all this may be true too; and whether true or not, it is no worse than what we are to believe on his own authority. And this is the person who comes here to lecture gentlemen on this side of the house on political virtue. But the house will agree with me that we have had enough of the Railway Commissioner, and it is time to turn to somebody else.

Now, if the figures of the Railway Commissioner are not his, but Mr. McNab’s, is the Provincial Secretary still of the opinion that his Engineer ought to go to the asylum. If he is, I would suggest that he might employ his talents as an engineer, while these are filling up nice appointments for the use of the government. It would be the best thing the country could do to pay them all their salaries and maintain them in the asylum at the public expense;—the Provincial Secretary might then be allowed with safety to write despatches without end; pens, ink, and paper would not amount to much. If he had been there for the last three years we would have been some three millions of money better off. His despatches could be received with mock solemnity and quietly consigned to the waste-basket. The Attorney General might devote his energies to writing impossible contracts, with irreconcilable conditions, and he might get there, what he has failed to get out of the walls of the asylum, somebody to go security for contracts so drawn. The other members of the government could do then pretty much as they do now, receive with a solemn salaam the decrees of the Provincial Secretary. By the bye, I

have forgotten the Railway Commissioner.—There should be a tenth apartment for him.—With great study and with continuous instructions of the matron, that gentleman might in course of time, arrive at the ability to do a common sum in arithmetic.

HON. PROV. SECRETARY.—Where would you send the large body of men who have supported us.

MR. ARCHIBALD continued :—I would send them occasionally to visit the Asylum. The moment the government was safely housed on the Dartmouth side the spell which the Prov. Secretary spreads over some people would be dispelled, they would be amazed at the change of their own feelings towards those who for so long a time had deluded them. Dethrone the greatest monarch the world ever saw, send him to St. Helena, deprive him of wealth and power and dignity, and he becomes merely a fat Frenchman. The influence of these gentlemen over those whom they have led astray would disappear the moment they lost power and place. I will now turn to the Attorney General, and without following him into the stories about the pots and his pothouse friends generally, I will deal with other parts of his address. He says I have produced evidence to shew that Mr. Fleming is going to make \$300,000 by his contract, and that I am at the same time charging the government with neglect of duty in not asking for securities,—he says “surely if Mr. Fleming is going to make that sum, we do not need securities,” and if he is not going to make money, my complaint is gone. I would quite admit the force of his reasoning if he and I took the same view of the transaction, but he does not believe that Mr. Fleming is going to make money. If he credits his own engineer he must believe that Fleming is going to lose a large sum. Why then does he not exact security? He is on the horns of the dilemma and not I,—if he believes his engineer, he should have exacted security, if he disbelieves him, he should dismiss him.

The Pro. Sec. however, as usual, takes higher ground. I never knew the Pro. Sec. to hesitate at trifles; he takes broad views and tells us he does not believe in sureties at all. He undertook to make a statement which the whole experience of the Imperial Government and these Provinces emphatically contradicts. Is there a ton of hay or a pound of beef used by the Imperial authorities in this Province that is not guaranteed by the security of persons of this town? Does not everybody know that time and again sureties have been called on, and compelled at a large outlay to fulfil their contracts? The whole experience of Great Britain, at home, in the Colonies, and elsewhere, is at variance with his doctrine. The Province has never suffered so far, as I am aware, for defect of sureties in our railway construction; the sureties were the men who did the work, and who, in the name of the original contractors, came here, and by their assiduity and by successfully laying their case before the Committee, of which the Atty. Gen. was Chairman, succeeded in obtaining extras. Yet the Prov. Secretary, in the face of these acts, tells us that what experience dictates, he can afford to disregard, and that too in defiance of the plain enactments of the Legislature. After the Attorney General, in his first day’s speech, had told us that my figures were an

entire falsification, he comes back on the second day to say that he did not mean to apply the term offensively. I accept the explanation so far as the imputation is concerned; but I may ask, Did he show a single error in point of fact? He attempted to make out but one, that of the cost of the fish fastenings. He admitted that Fleming's estimate for the ballast of the Intercolonial line was 5,000 yards; that Laurie's was 4,800; and Fleming's, for the Picton road, 3,000. But he says we are to have superior fastenings. I have shewn that according to Mr. Fleming, the fastenings on the Intercolonial road were to be equal to anything known, and that surely ought to be sufficient. The Attorney General brought here a number of statements, with the view of shewing in various ways that my calculations were wrong. We will look, as a specimen, at the statement he calls No. 4. He takes in this an average of the tenders for grading and masonry, and wants to shew that this average is a fair basis. I ask him if he ever heard of a Government going to get work done and judging by such an average? A man wishing to get work, tenders at a price the lowest at which he can safely undertake it; but the man whose object is to pocket a large sum puts down a large price, without the expectation of success, but in the hope that the work may fall to him and enable him to make a fortune. Is that, then, a fair basis? There is not a shadow of a foundation for such an argument; but I am willing to take gentlemen on their own ground. He says: that providing on such a basis the cost of the road would be \$103,772 more than Mr. Fleming gets. The very first item in his estimate is for the section work, \$1,276,525. Now this is the cost of the work originally contemplated, not of the work as altered.—Is it not strange that at this stage of the debate not only the member for Halifax, but even the Attorney General does not seem to understand that the work originally tendered for is not the work for which the contracts were made, or that after the tenders had been received alterations had been made to the extent of \$300,000? The road bed was narrowed, one-ninth taken off the width of every cutting, and alterations were made in the grades and curves, and yet the Attorney General does not comprehend that the very item with which he starts does not relate to the present road, but to the larger road for which Mr. Fleming made the specification. Now, instead of deducting from these alterations 10 per cent, as I might have done, I have deducted five per cent only, which is far below the mark. Deduct that sum and you find that the grading, instead of amounting to \$1,276,000, must be reduced by \$63,000 at least, so that at the very first figure of his calculation the Attorney General makes an error to the extent of \$63,000. He then puts down ten per cent for contingencies on the grading work. Yet the contract he himself drew for the parties who undertook to do this work prevented a farthing from being claimed on that account. Here then is another blunder to the extent of \$127,000, for which there is not a shadow of foundation. Add the 63,000 and the 127,000 and count also the \$20,000 receipts in finishing the road which the contractors did not get, but which Mr. Fleming does get, and you find a sum in all \$210,000, which should be deducted from the Attorney General's estimate, and

taking all the rest of his calculations as he makes it himself, it will appear that instead of our gaining by the larger with Mr. Fleming \$103,772, we lose \$106,000 by a free contract with a tender taken upon this unsound principle of arranging the whole.

I now take estimate of Gordon & Co., whose tender for the original road was \$1,202,400.—This item would have to be reduced by five per cent. for reduction and ten per cent. for contingencies, like the last. We would have gained by such a bargain as that \$200,000. The Railway Commissioner has spoken of the gentlemen on this side spending three weeks in preparing for this discussion,—now what are the facts:—the house met on the 20th Feb., on the 26th the Government laid the contract with Mr. Fleming on the table,—the moment I heard it read I saw that our safety to a large extent depended upon Mr. McNab, and asked that his certificate might be laid upon the table;—that was done upon the following day. On the 28th, I found there were documents referred to in the report not in our possession. I asked for them. They were laid on the table on the 1st of March. There was still something wanting to enable me to form an opinion of the contract. I then asked the Provincial Secretary to lay on the table the tenders which had been accepted. He did so on the 4th, and that was the first moment when any member of the house, outside of the Government, had the materials on which a calculation could be founded. The moment I had the materials, instead of requiring three weeks, I did not ask three days. I was prepared to go into the discussion on the 8th. It was postponed to the 16th by no desire of mine—I wanted no delay whatever. The hon. member for Kings told us to-day that this matter would add greatly to the popularity of the Government. I tell him that if ever there was an act that must draw down the indignation of the entire population of this Province—an act which no two men meeting in a village street could be found to defend—this is that act. I hold under my hand letters, not from my personal or political friends only, but from some of the Provincial Secretary's warmest friends, from men who have fought battles and stumped Counties for him, who say freely that, far as they have gone in his support, they would not venture to sustain him in a matter like this; and yet the Prov. Secretary and the member for Kings tell us that the more the question is discussed the higher the Government stands. All I can tell them is, that the pedestal on which they now stand must be exceedingly low if they are to be elevated by this investigation. The Prov. Sec. tried to persuade us that there has been no violation of law. It is hardly necessary to discuss that question. The hon. Attorney General abandoned it when he told us that they tried to keep the law on Section No. 7, when he spoke of a law superior to that in the Statute Book, the law of necessity in this case. The law which I referred to was what this Legislature had passed to restrain the Government from having such a plea—that was the law they should have observed. That was the law they violated, according to the confession of the Attorney General himself. His friend and colleague, Mr. Shannon, and the hon. and learned colleague of the Provincial Secretary from Cumberland, made the same avowal; and

the Commissioner of Railways says, "What if we did violate law, did we not make a good bargain? Every gentleman admitted the violation but the Provincial Secretary. But the most extraordinary doctrine of all was the Attorney General's law of necessity. He says by that law those who are called upon to act must be the judges of the necessity. On this plea any act of any Government could be justified: I can understand this doctrine in the mouth of a Metterich in Austria, of a Nesselrode in Russia, of a Bismark in Prussia, in the mouths of men brought up under the shadow of despotism; but to find the Attorney General of this Province using such language in a case of this kind is truly astonishing.

The ATT'Y GENERAL—I am misquoted.

Mr. ARCHIBALD—Let us see. I will read the Attorney General's printed speech:—

"I need hardly tell professional gentlemen that there is a law which over-rides all laws,—and that is, the law arising from the necessities of the case. A man cannot save his life except by taking the life of another, and the law justifies the act. A traveller finds a bridge down, and is forced to find his way through the private property of another. The necessity of the case is to be judged by the persons who have the necessity and responsibility."

Is not that a doctrine which could justify any act of despotism? We shall violate the law, and we, not the legislature that passed the law, shall judge of the necessity." Is the man whom you restrain by law to be judge whether he shall be restrained or not? I say that a doctrine like that, propounded in a legislature with British institutions, is subversive of all that a Briton feels to be dear to him. But the Pro. Sec., not content with saying that the government have acted on the letter, says they have also acted on the spirit of the law. The spirit of the law, he says, is that the government should ascertain by tender the value of work. That having done that, they were at liberty to hand it to any one they choose at the prices so ascertained. Now if that were true is the government exculpated? The papers show that only \$965,000 worth of work was submitted to tender at all. For the balance, up to this moment, no man has ever been asked to tender. Does he mean to say that if one million of dollars was put to tender, that justifies the expenditure of a second million without tender. These then are the theories of the spirit and of the letter of law to which the House has been treated. The spirit of law is not as the Prov. Secy. declares:—It is that the lowest price for which work can be done shall be ascertained, that those who tender and can give adequate security shall do the work and no man, having tendered, and having skill and ability to do the work shall have it taken from him. The man who tenders and gives security becomes responsible, and it is the duty of the government to see that the parties to the contract are not men of straw, but are capable of fulfilling it. The engineer in this case says that the securities given by the contractors were adequate, and the Pro. Sec., with that statement from his own officer, and with his own declaration made on the floors of the House, that the contractors were indus-

trious and energetic men, in defiance of law, undertakes by a dash of his pen to destroy that security, and dares to defend himself on the ground of pursuing the law. The Pro. Sec. read to us part of a contract entered into by the previous government to shew that, having once let the work, the government retained the right to take the work off the contractor's hands and do it in any way they pleased; yet when he was required to read another sentence it turned out that the work was to be done not at the expense of the Province, but at the expense of the men who signed the contract. When therefore he undertook to release these men from their obligations, he did that which no man ever dared to do before. The Commissioner of Railways asked us "what was the use of calling the Legislature together;" he thinks that the nine intelligent and energetic gentlemen composing the Government were capable of forming a judgment on the question; but does he not know that that argument would dispense with the Legislature altogether? If nine men are as fit to judge as the fifty-five, why call us together at all? This contract was signed on the 10th of January,—we should have been here then, and I ask the Pro. Secretary and the Att'y General in the face of these facts, if there was ever a Government in this country or elsewhere that would, under these circumstances, have acted as they have done. Surely the Pro. Secretary cannot see the magnitude of this transaction. Our revenue is little over a million of dollars. The Imperial revenue is 350 millions, so that the contract bears the same proportion to us as seven hundred millions of dollars would to the Imperial Parliament. Imagine Sir Roundell Palmer, the Attorney General of England, advising the Government that in a matter involving seven hundred millions of dollars, they were at liberty within a few days of the meeting of the Legislature to violate the law and enter into a contract in the very teeth of a statute passed to meet just such a case. How long would Earl Russell be Prime Minister, or Sir Roundell Palmer Attorney General, of England? For acts less arbitrary than that an English monarch lost his head. An act of this kind is dangerous, just in proportion to the plausibility of the excuses that can be offered for it. The ground on which Charles I. claimed his right to levy the ship tax was that such an impost was absolutely necessary if England was to have a navy. That the country could be saved from hostile invasion, and its institutions handed down to posterity only by protection at sea,—he contended that if ship money could not be levied by law, it must be levied by what the modern estimate of responsible government here terms the law of necessity; what was the result? The Commons of England felt that plausible as were the excuses there was an end of all legislative power, if they were accepted,—that the authority which could be used to levy money to sustain a navy could be employed to raise an army to enslave the country, and they settled the question forever. I tell the Pro. Sec. then that

the danger of such an innovation is in proportion to the justification that can be offered. That the innovation may be used by men less scrupulous than himself for ends which he would scorn. Suppose I acquit the government of everything but a gross want of judgment, the precedent they have set, if sanctioned by us, may be most grossly abused. Let me say to the members of this House before you take an irrevocable step—before you ratify an act most dangerous to the future well being of your country, consider and reflect upon your position. The support of the Government is a small matter,—it is of comparatively little importance whether one or another set of men manage the public affairs; but if the Government be now allowed to violate the law and any future Government should place their hands in the Treasury for selfish or for corrupt purposes, the people of that day will have a right to point to you, to the fifty-five who in the session of 1866 had the destinies of the country in hand and say: the turning-point was with you, if you had done your duty to your country this precedent never would have been followed. It is for the members of this House now to decide, but decide as they may, I feel that there are few men whose convictions on this subject are at variance with my own, and leaving the matter as I do in your hands, I shall feel that I have discharged my duty to the country, and devolved the responsibility upon those who feel at liberty to vote against the Resolution now before the House.

The question was then taken, and there appeared—for the Resolution—20; against it, 31. Names appeared thus:—

For the Resolution: Messrs. Heffernan, Ross, McKay, Killam, Hebb, Townsend, Balcam, Parker, Miller, McLelan, Blackwood, Archibald, Locke, Robertson, S. Campbell, Ray, Blanchard, Brown, Coffin, Annand.

Against:—Messrs. Shannon, Jas. Fraser, Bill, Donkin, Longley, MacFarlane, Lawrence, Allison, Churchill, Hatfield, Whitman, John Campbell, Pryor, D. Fraser, C. J. Campbell, Moore, Hamilton, Kauback, Tobin, Jost, Hon. Prov. Secy., S. McDonnell, Hon. Atty. General, Colin Campbell, Hill, McKinnon, Bourinot, Robicheau, Smith, Cowie, King.

Mr. LOCKE asked the Government to lay on the table papers relating to a contract with Mr. John Pugh.

Hon. PRO. SEC. laid on the table papers relating to the Dublin International Exhibition.

The House then adjourned to Saturday at 11 o'clock.

SATURDAY, March 31st PETITIONS AND BILLS.

The House met at 11 o'clock.

Mr. COWIE presented a petition and a bill in accordance therewith, to authorize the sale of Mount Zion Church, Milton, Queens County.

Dr. HAMILTON presented a petition from J. C. West for return of duties.

Mr. RAY introduced a bill to authorise the sale of the old school-house at Annapolis.

Mr. ROBICHEAU presented a petition from a

number of the inhabitants of Weymouth Bridge against Confederation; also one from inhabitants of Long Island for an increase of mail accommodation; also, one from inhabitants of Cedar Lake, for a Way Office.

Mr. HEBB, petition of Andrews, and others, of Chester, against removal of Court of Sessions. Also three petitions against Confederation.

Mr. BILL, a petition from West Cornwallis, in respect to the present School Law.

Mr. HATFIELD, petition from Argyle, respecting Indians.

Hon. PRO. SEC., copy of Treaty of Commerce between Her Majesty and the Emperor of Austria, etc.

Mr. ALLISON, act to authorize the sale of Old Baptist Meeting House at Caledonia.

Hon. Mr. McFARLANE reported from the Committee on Agriculture a Resolution definitely fixing the time for the Provincial Exhibition in the year 1868.

Mr. TOBIN introduced an act to amend the act to incorporate the Halifax City Railway.—The Manager of that Railway says that the clause empowering the Government to take it off his hands at a bonus of 12 per cent., prevents the sale of stock. Mr. Tobin said he did not wish to be understood as giving any opinion on the subject.

The House went into Committee, and passed the Bill to incorporate the Halifax Co-operative Society, with amendments; the Bill to incorporate the Strait of Canso Marine Railway; the Bill to extend the provisions of chap. 63 R. S. of "Commissioners of Streets" to the town of Antigonishe; the Bill to incorporate the Nova Scotia Slate Company.

Mr. McLelan asked the Government for a statement of amount of revenue derived from Customs and Excise for the quarters ending 31st Dec. and 31st March. Also information for advances other than for road services. He presented five petitions from Five Islands against Confederation.

Mr. LOCKE presented eight petitions from Shelburne, against Confederation.

Hon. ATTY. GENERAL introduced an Act to amend chap. 159 R. S. "Of malicious injuries to Property."

Mr. COLIN CAMPBELL asked the Government for a return in connection with Militia expenditure.

Hon. ATTY. GENERAL introduced an act to amend chap. 94 R. S., Of the Coast and Deep Sea Fisheries. It remedies defects in the present law, and makes it more operative.

A message was received from the Legislative Council, stating that they had passed the Revenue Bills.

The Atty. General suggested whether in connection with the bill he had just introduced, it would not be advisable to alter the law in respect to that part which throws the whole burden of proof upon the defendant, that the law is not violated. Such a provision might be considered hard by foreigners, and he thought that it might be advisable to leave the matter of for

feiture to be sustained upon the usual principles of evidence.

The hon. gentleman also introduced an act to amend the chap. respecting Mines and Minerals. It appears there is now a clause which enables the party who has been a lessee of a number of areas and does work sufficient to satisfy the law with respect to certain of them, to get a new lease, on certain conditions.—The law provides on the new lease being issued, that the party shall be bound to make up all the work that is to be done on these areas. If a person take thirty areas, he would have to perform 300 days work, five of these may turn out productive, and yet he may be obliged to do the work on the other 25 which are unproductive. The law therefore imposes upon the party getting the second lease a large amount of useless work. Cases had not arisen under it, but it was necessary, said the hon. gentleman, to alter the law.

Hon. PROV. SEC. laid on the table correspondence and tenders in relation to petroleum for the Board of Works. Also petition asked for by hon. member for Victoria, (Mr. Ross,) praying for a half-way-house between Ingonish and Cape North.

At one o'clock His Excellency the Lieut. Governor came down, and gave his assent to the Revenue Bills.

The House adjourned until Monday at three o'clock.

MONDAY, 2nd April, 1866.

The house met at 3 o'clock.

BILLS AND PETITIONS.

Mr. ARCHIBALD introduced a bill to amend chap. 46, Assessment.

Hon. ATTY. GENL. introduced an act to amend chap. 40 Sheriffs; it is intended to enable the government during the year to enquire into cases where the officer fails to perform his duty and is guilty of any misconduct, and to dismiss him when requisite.

Dr. BROWN introduced a bill to amend chap. 72 B. S. of Commissioners of Sewers and regulation of Dyke Lands.

Mr. LOCKE presented a petition from Shelburne, praying that no law be enacted against the setting of wiers in the bays and harbours of this Province.

Mr. ARCHIBALD asked the government to lay on the table statements of amounts due from the several counties in connection with the Lunatic Asylum.

Hon. ATTY. GENL. said he was glad to find that the hon. gentleman had taken the matter in hand; it had been his own intention to bring up the subject.

Hon. PROV. SEC. laid on the table a statement of Militia expenditure. Also a list of advances other than road services.

Mr. PRYOR, as Chairman of Committee on Local and Private Bills, reported up the bills to regulate assessment in the county of Halifax, to legalize the proceedings of the sessions in the county of Cape Breton, to legalize assessment in the district of Barrington, to authorize the sale of school-houses and lot at Bridgetown, to incorporate the Anconi Coal Company.

Mr. BLANCHARD introduced an act to amend the law respecting the partition of Real Estate. It provides where all the parties interested refuse to accept the property at a valuation, and pay for it, it shall be in the power of the judge to order its sale, &c.

Hon. ATTY. GENL. presented a petition from the Nova Scotia Electric Telegraph Company, praying that an act which had been introduced to incorporate an opposition line, may not receive the sanction of the house. After some brief remarks as to its contents, the petition was sent to the committee on Law Amendments.

Mr. KAULBACK introduced an act to legalize the assessment rolls of Chester.

Mr. ARCHIBALD presented a petition from Upper Stewiacke on the subject of the combination of the sale of groceries and liquors in one establishment; also, a similar petition from Dartmouth. It appears that the law is evaded in a great many places in the province, not even excepting Dartmouth. The hon. gentleman also presented a petition from an aged teacher, formerly of Horton, now of Truro. Also a petition from Point Bruie in reference to road communication with Georgetown, and Earl town.

Hon. ATTORNEY GENERAL then moved the house into committee, for the purpose of taking up the estimates, but on Mr. Annand objecting to that course until the grants were subdivided according to counties, the hon. gentleman consented to withdraw his motion. Some conversation took place in respect to several matters contained in the estimates—Mr. Tobin urging the desirability of a road between St. Margaret's Bay to Peggy's Cove, &c.—but it was agreed to defer all discussion until the subject came legitimately before the house.

THE SCHOOL BILL.

Hon. PROV. SECRETARY moved the house into committee, for the purpose of taking up the School Law. Mr. Robertson in the chair.

The first clause, providing for the payment of school teachers from the treasury, was read. The Provincial Secretary explained that the object was to provide remuneration for the teachers according to their qualifications, and to enable them to know exactly what amount they would be entitled to receive from the province.

Mr. BILL expressed his opinion that the bill did not provide sufficiently for the poorer sections of the country; under it the rich sections would receive all the first class teachers. The whole object of the legislation for the past two years, in connection with education, had been to benefit the rich to the prejudice of the poor. He did not think that the country was yet in a position to adopt such radical changes as the house had been endeavoring to force it to accept. He regretted that the superintendent of education had not reported to the house what children are not going to school throughout the country; that was very important information that the Legislature should have in its possession. He did not think credit should be given to the new law for the number of children that might now be attending school. The house did not hear of the hardships, of the litigation, of the school-houses shut up, of the forced sale of a poor man's property for the school tax; these were things that were constantly occur-

ring under the law. The object of legislation should be to elevate the people, but the school law had tended to depress them. The Legislature had not forced the Municipal Incorporation Law upon the people, but it had been left to them to accept or reject it and so it ought to have been with the School Bill. He alluded to a district in Cornwallis—inhabited mostly by coloured people—in which two young ladies—one residing in the city and the other in the country—who inherited the patriotism of their illustrious sires had exerted themselves to establish a school. They did not apply to the Council of Public Instruction for a teacher, for they were fully qualified themselves to choose one. They engaged one perfectly qualified, not only to teach on week days but on the Lord's Day but what did the Council of Public Instruction say? Their agents broke up the school and said in effect, if you have any business to attend to, you had better do it. What, he would ask, had these poor people done that they should not receive the full benefit of the assistance of these ladies? The present law had a tendency to strike down the spirit of patriotism and all the finer qualities of human nature. It was calculated to encourage litigation and injure irremediably the cause of education. He would feel very much gratified if it were possible to postpone the operation of the law until the people were better able to accept it. At present there were sections inhabited by from 150 to 200 persons, which had no schools.

Hon. PROV. SEC. said that the amendment proposed in the present bill would meet the very objections that had been raised by his hon. friend. The old law—and it was almost impossible to frame any law otherwise—had the effect of giving the larger proportion of the grant to the more populous and wealthy sections. The poor sections, however, never received as much consideration as they do under the new law. The Statute Labour Law showed how difficult it was to frame any law that did not more or less benefit the rich and populous sections. The present bill enabled a first teacher to draw as large a grant of money in a poor section as if he were teaching in the shiretown. The number of petitions on table showed that the people were largely in favour of such amendments as were proposed in the present bill. He regretted to hear such sentiments fall from a representative of a county where so many associations of the body to which he belonged had passed resolution after resolution in favour of assessment.

Mr. BILL expressed his opinion that the old law was in many respects preferable to the present, which bore with great oppressiveness upon the poor men of the country. The old law had one great advantage, it gave almost unlimited power to the Commissioners. It also enabled free schools to be established over the country wherever they were wanted. He was in favor of taking the revenue that was derivable from taxing the staff of life, and handing it over to the Commissioners to be distributed for school purposes as under the old law. He trusted that the House would pause before fixing the salary of teachers in the mode proposed and give the power to the proper persons to arrange all such matters, the Board of Commissioners. The great objection

he had to the present system of taxation was the expense it necessarily entailed.

Mr. STEWART CAMPBELL said that under the present bill the amount that was now contributed by the people for the support of schools would be nearly trebled. He asked if the house was prepared to tell their constituents that they must henceforth pay three where they had previously paid one dollar. He doubted whether Inspectors, or even a Superintendent of Education was necessary in this country. The latter gentleman had not visited Guysboro county for more than a year; the only duties apparently he was capable of performing was to haunt the parlours of the building; he had been too much in communication with members of the house. The report this gentleman had presented was altogether too partial; it did not give the facts that the house required to know. He again objected to the entire principle of the bill.

Hon. PROVINCIAL SECRETARY said that the hon. member for Guysboro had not approached the question in a manner that was at all worthy of himself, and of the important interests under consideration. When he assailed the Superintendent of Education, and the Inspectors of Schools, he was not attacking the present government, but every man who had in time past devoted his services to the cause of education. The office of Superintendent originated with the party to which he had attached himself, and which he sustained by putting on the statute book a law by which the House was led to believe that that office was indispensable to the promotion of education among the people. Every one knew that one of the first Superintendents had been Dr. Dawson, a gentleman of whom this country was proud. If the hon. member would turn to the letter of that gentleman—to the arguments enforced upon the House by the leading public men to whom he (Mr. C.) had devoted himself, he would find the necessity for a Superintendent of Education proved conclusively, and in addition to that, that there should be an efficient and vigorous system of Inspectorship of Schools. Mr. Young followed and sustained by the hon. member, had brought in a bill providing for the public inspection of schools. Dr. Forrester had always contended for a similar system; and in the face of facts like these the hon. member got up, and disavowed the principles which he might be considered as having always sustained. Dr. Forrester had the manliness, on a recent occasion, to come forward and congratulate the country upon the character, ability, and energy of the gentleman who had succeeded him. It was the duty of the Superintendent of Education to be present when the question in which he was peculiarly interested was being discussed, that he might be able to give the benefit of his views to gentlemen on both sides.

Mr. KILLIAM believed that the present bill changed the principle of the existing law in many respects; the payment of the teachers for instance. The county assessment had been considerably increased although he did not object to that, for his views had always been to give as much education as possible to those who could not educate themselves. His opinion had always been that the whole amount for education should be distributed all over the

country, and in proportion to the number of children in each section. The money should be under the control of the commissioners and superintendent, and so divided that there would be no mistake about it. The great object should be to distribute the advantages of education as equally as possible.

Mr. COLIN CAMPBELL said that he was in favor of sectional assessment as being the most equitable principle.

Dr. BROWN doubted the advisability of denuding the Commissioners so largely of power, though he thought the bill was in many respects an improvement.

Mr. KILLAM questioned the propriety of altering the policy of dividing the school grant by population. He moved an amendment that the "Provincial grant be divided among the counties as heretofore."

On a division the clause passed by a very large majority.

The Committee rose and reported progress.

Hon. Mr. SHANNON reported up an act in reference to the Board of Health in Halifax.

The house adjourned.

TUESDAY APRIL 3.

UNION OF THE COLONIES.

SPEECH OF MR. MILLER.

MR. MILLER said—I rise, Mr. Speaker, to address the House on a question of the deepest importance to the people of this country—a question in comparison with which all other public questions may be truly said to sink into insignificance—I mean the great question of British Colonial Union. If, sir, the subject was less important than it is, I would not venture, as I now do, to trespass on the attention of hon. gentlemen in reference to it, in the absence of any motion before this House. The course I am about to adopt is the result of much deliberation, and I shall bring myself within the rules of the House by making an enquiry of the Government before I resume my seat. Sir, on no occasion during my comparatively short professional and public career, have I risen to address any body of men impressed with a deeper sense of the grave responsibilities of my position than I now feel. But, on the other hand, I can truly say, on no occasion, involving public responsibilities, have I been animated by stronger convictions of the propriety of the step I am about to take than I am at this moment.

For the past two years, Mr. Speaker, the question of an Union of the British North American Provinces has been before the people of this country, and I need hardly state my views have obtained some publicity, and myself some prominence, in opposition to the Quebec scheme of Confederation. To that scheme, I am now as hostile as I have ever been. I believe it to be unjust to the people of the Maritime Provinces in some of its most important features. I believe to force it upon us, without important modifications, would frustrate the end it is intended to promote—the permanency of British Institutions on this continent. These were my opinions in 1864. They have undergone no change. They are my opinions to-day.

But, Sir, it is well known to this house and to the people of the country, that, notwithstanding the strenuous and unwavering oppo-

sition I have given to the Quebec scheme of confederation, I have invariably declared myself in favor of an equitable union of these colonies. During the agitation of this question, I have spoken on it in Parliament and at Public meetings, in several counties of this Province, and nowhere have I failed to express in unequivocal language my desire for union on fair terms. I can appeal to those who have listened to me in both extremes of Nova Scotia, whether in Cape Breton or in Lunenburg, in support of this assertion. But, Sir, I can appeal to something stronger, if the consistency of my conduct in this Legislature is called in question,—I can appeal to the official records of this House. I can go even further and appeal to the gentlemen with whom I have co-operated for the last eighteen months in opposition to the scheme of the Quebec Conference, many of whom are opposed to all union, and who will bear me ready witness that my co-operation in the anti-union movement in this Province, has only extended to the details of that scheme. The subject of an union of British America, since I have been capable of forming a judgment on the question, has found favor with me. Apart from the material advantages of such an union, there is something in the assurance of national strength and greatness to be derived from it, which is in sympathy with the best feelings and aspirations of every British American whose future is wrapped up with the future of this country. For years past I have entertained a strong opinion on the subject,—an opinion that the period was fast approaching when these North American colonies must cast off their present political habiliments, and assume others more consistent with their advanced position, their surroundings, and their altered relations to the Empire. I was in favor of their political union before the subject was presented to the country in any tangible shape. I am in favor of it now, after having given the question much attention and thought, and after the bitter and prolonged agitation it has produced in this Province. The first opinion I publicly expressed in favor of it, was in the debate in this House on the resolution introduced in 1864, by the hon. Provincial Secretary for a union of the maritime provinces, when I am correctly reported to have used this language:—

"If the resolution before the House contemplated an union of all the Provinces of British North America on equitable terms no one could hail it with more satisfaction than himself. Such an Union he trusted to no distant period would become both a commercial and political necessity. He looked forward hopefully to the day when the inhabitants of these noble Provinces, united under one government, might stand before the world in the proud national character of British Americans. From such an association they would indeed derive national strength and dignity worth some sacrifice to obtain. They would then possess a population and country whose immediate status and inevitable future destiny would command respect. An union of the Maritime Provinces and the great territory beyond would give us a country extending from the Atlantic to the Pacific, with all the diversified resources necessary to the most unlimited material progress. In favor of such a proposal most of the arguments urged in this debate would have real point and force, and not appear, as they now did, absurd or inapplicable."

From the above paragraph, Mr. Speaker, it will be seen, and indeed the fact is one of noto-

riety in this House, that before the Quebec scheme of Confederation was in existence, I had placed on record my decided approval of an union of British America on equitable terms. I think I will have no difficulty in shewing that though prominent in my opposition to the Quebec scheme of Union, I have always been favorable to the abstract idea of Union.—My first appearance before the public in opposition to that scheme was at a mass meeting of the citizens of Halifax in December, 1864, about nine months after the above declaration in Parliament, and although I spoke under circumstances of much irritation, I did not allow any personal annoyance to draw me into antagonism to the great principle of Colonial Union. Looking back, sir, to that occasion, and recollecting the excitement that marked it, I find no ordinary degree of satisfaction at the emphatic manner in which I preserved my consistency on the great principle involved in that discussion. I said:—

“I do not wish, Mr. Mayor, that my appearance on this platform to-night should be construed into opposition to an Union of British America on fair terms. I am not opposed to, but on the contrary, would support an Union based on sound principles and equitable terms. But the more I investigated the subject, the more reason do I find to fear that an equitable Union with Canada is not easily attainable. I am not willing to purchase Confederation on conditions disastrous to the people of Nova Scotia. These are the reasons why I oppose the measure by which Confederation is now to be secured. I cannot ratify the improvident bargain our delegates have made, because it is unjust to this Province. It is a bargain in which the advantages are all on one side, and all against us.”

I repeat, sir, when I look back to the period at which these remarks were uttered—when I remember the excitement and personal acrimony that marked, in some instances, the discussion of this subject in Temperance Hall, I am exceedingly gratified to-day, that no temporary provocation could induce me to denounce all union, as others did; but that I wisely contented myself with hostility to the particular scheme then under consideration. I do not deny that in the warmth of an exciting platform discussion I may not have used language that I in times of greater coolness would not have uttered. But no candid man would think of binding another too strictly to every expression used before an excited popular assemblage, amid the cheers of his friends and the hisses of his opponents. It is only proper to recollect that everything I then said—every argument I advanced—was directly solely to the end of defeating the Quebec Resolutions. When the question came before the Legislature at a late period last session, I intended to have fully explained my position and views, but in common with a number of gentlemen on both sides—for reasons which will be found in the reported debates—I denied myself the pleasure of speaking on it at any length. In the few remarks I did make, however, I find the following decided reiteration of all my previous declarations:—

“If I have any desire for an union, it is for the larger one. The opinion I held last year I hold now. My opposition has not been to union in the abstract, but to the terms on which it was secured. I defy any one to find a single passage in anything I have said which proves that I am opposed to an Union on equitable terms.”

Sir, I do not think I require to say a single word in addition to what is contained in the official records of this House, to show that from my first appearance in this Legislature up to the present time, I have been favorable to an union of these Provinces. I am chargeable with no sudden conversion to that opinion—nay, more, I am chargeable with no inconsistency in regard to it. Every one who understands the difference between the principle of a measure and its details, is well aware that in supporting the principle of any scheme a party does not commit himself to its details. The absurdity of any other assumption is too apparent to call for comment. In the same way, in opposing the details of a measure, it does not follow that we oppose its principle. I do not make these obvious remarks for gentlemen in this House, but for those elsewhere who may not as readily appreciate the distinction.

What, then, has been my position on this great question up to the present time? My position has been that of an uncompromising opponent of the Quebec scheme, yet an advocate of Union. While, however, my hostility to the Quebec resolutions has not diminished during the last eighteen months the subject has been agitated, I am not prepared to assert that my attachment to the principle of Union during the same period, has not increased. Sir, I frankly admit that it has increased. I am more firmly convinced at the present moment than ever, of the desirability of an Union of British America. There are many reasons to-day that did not exist two years ago, why every British American who is not insensible to the logic of events, should desire an Union that would tend to consolidate the strength, develop the resources, protect the rights, and promote the mutual interests of these provinces. Sir, the Provinces of British North America are in no ordinary period of their history—and that man is heedless of the signs of the times—is heedless of events that are daily and hourly transpiring around him, who exhibits indifference to, or affects to disregard danger in, the present state of public affairs on this continent. I need not remind hon. gentlemen that the whole aspect of things around us have been changed within one short year. The neighboring republic, twelve months ago, was in the throes of a death-struggle, which threatened its disruption, has since emerged from the ordeal, claiming the reputation of one of the first military nations of the world. Her military prestige will not diminish the characteristic arrogance of her international policy. It will certainly not lessen her disposition to offensiveness in her intercourse with foreign nations, as it has increased her necessities; it will not lessen her desire to aggrandize herself at the expense of her neighbors. We have grounds of apprehension in this respect peculiar to ourselves. We know that the late war in America has created a feeling of animosity for some fancied grievances, among some classes of the American people towards Great Britain and these colonies. I need not specify these assumed grievances; they are familiar to every one. They may culminate at no distant day in a war between the two countries. They have already culminated in a species of commercial warfare, aimed at the prosperity of British America. Does any one doubt that

The repeal of the Reciprocity Treaty is intended partly as a punishment of these provinces for their sympathy with the Southern States during the late struggle, and partly as an annoyance to Great Britain for her alleged bad faith as a neutral power. But sir, there can be less doubt that it is chiefly relied on—I mean the repeal of the treaty, as a great means of fostering annexation sentiments in British North America. I shall prove this assertion presently beyond the possibility of doubt. Assuming it to be correct, is it not our duty to adopt such steps as may frustrate any such design? Now, Sir, I ask what step is so likely to conduce to the result we have in view, as an union under one Government, which will give all these colonies a common policy, and a common platform of action? Isolation in relation to reciprocal trade, in the present crisis, has peculiar dangers. It gives the Washington authorities complete command of the whole situation. It gives them the power of playing us off against each other, of exciting jealousies, producing dissensions, and creating interests which can have but one tendency. No Government under the sun more thoroughly understands that game than the Government of the United States. They will play it to our ruin and their own advantage, if we leave the cards in their hands. I do not wish to go further in connection with this view of the subject, but it has had a powerful influence on my mind. It affords a most weighty argument in favor of immediate union.

I have said that the repeal of the Reciprocity Treaty is intended to produce annexation tendencies in British America. I think I can adduce evidence on this point so conclusive as to amount to a moral demonstration. Allow me, in the first place, to revert to the history of the Commercial Congress held last summer in Detroit, representing the great mercantile interests of the U. States and B. America. Need I remind hon. gentlemen that on that occasion an important functionary of the Washington government—a gentleman occupying the high position of American Consul at Montreal, the first city in British America, declared that he attended that Congress at the request of his government, and with authority to express their views and wishes with regard to reciprocal trade. He earnestly advised the abrogation of the treaty, and openly and insultingly told the colonial members of the Convention that the object of this policy was to produce the annexation of British America to the Republic. We have, then, the fact that Mr. Potter went to Detroit, declaring himself in the confidence of his government, and the exponent of their views, and we all know that his utterances have never been disowned by his masters, and we have the further most important fact that on the first meeting of Congress, the policy that gentleman foreshadowed as that of the Washington government was carried out. If, then, Mr. Potter was correct in foreshadowing the policy of his government, is not the conclusion irresistible that he was equally correct as to the wishes and motives that were at the foundation of that policy? These significant facts cannot fail to make a due impression on the mind of every man who desires to maintain our connection with the Empire; and they strongly

confirm my convictions not only of the desirability but of the necessity of Union.

We know from the newspaper press of the United States that the question of an union of British America has attracted considerable attention in that country, and that the proposal is generally received with little partiality. Those journals especially noted for their violent antipathy towards everything British do not conceal their hostility to the measure, and the grounds of that hostility. We find that those who oppose union are applauded as the friends of annexation, while those who advocate it receive very different treatment. Let me treat the house to an extract from a journal marked for the vileness and virulence of its abuse of Great Britain and these colonies—the *N. Y. Herald*—as indicative of the hopes entertained in that quarter as the inevitable result of a refusal on our part to unite, and concentrate our strength. The *Herald* of the 10th of March last, referring to the repeal of the Reciprocity Treaty, says:—

“W meantime, the Provincials who have had a taste of the blessings of free trade with the ‘Yankees’ under this expiring Reciprocity Treaty, are called upon to consider the question of their ‘manifest destiny’ in the proposition from Queen Victoria for a North American Confederation under the vice-royalty of a member of her family. This movement contemplates a consolidation, which has already been declined by Nova Scotia and New Brunswick; but it is not thus to be abandoned. AN AGITATION WILL BE APT TO FOLLOW, WHICH IN DUE TIME WILL GRAVITATE TO THE EASY, NATURAL AND ADVANTAGEOUS SOLUTION OF ANNEXATION TO THE UNITED STATES.”

Sir, there is something in this language that should arrest the attention of every man not blinded by party or other unworthy feelings. What is the meaning of this “agitation” with which we are threatened? Is the repeal of the Reciprocity Treaty merely the initiation of a systematic design to undermine our allegiance and annex us? Have the Government of the United States their agents in this country for this purpose, as insinuated by the *Herald*? If they have, it will not long remain a secret, for the hour of action is at hand, when we all must be judged by the sympathies we avow, and the company we keep. I am aware that no man would dare openly advocate annexation, but if there be any among us who desire it, they will take the more safe and insidious means of attaining their end by exciting disaffection on any pretext that will offer itself. The language of the *Herald* affords reasonable grounds for watchfulness, and it is only right that the country should be on its guard.

Now, sir, there is another consideration that has its just weight with me. The Imperial Government has spoken on this subject in terms not to be mistaken, and firmly and persistently urges on the people of British America the necessity for Union. I know there are persons who talk very fitly of the interference of Colonial Secretaries or the British Government, in our affairs. For my part, sir, while I would as readily as any one resist improper interference from any quarter in the public affairs of this Province, I would be sorry to deny the right of the Queen’s Government to use its just influence and authority in all matters of Imperial concern. Much less would I dream of anything so absurd as to dispute its right to deal with any measure affecting the integrity of the Empire. On all

questions of this character, I, for one, am ready to yield the most respectful deference to this high authority. The desire of Her Majesty's Government for an union of the Colonies has received the most emphatic expression that could be given to it—it has been declared in three consecutive speeches from the Throne. Now, I ask this House, is there a colony under the crown that has greater reason to show deference to the just wishes of the British Government than the province of Nova Scotia? Sir, do I require to point to the evidences of Imperial solicitude for our safety and welfare that are before everybody's eyes? Walk out some fine morning and view the fortifications of this city, and get, as you can only get, an imperfect estimate of the immense treasure Great Britain has spent for the protection of this people. Visit that citadel, under whose shadow even now our slumbers are undisturbed—visit Point Pleasant, George's Island, and a half dozen other places I could name. Extend your wanderings to the north end of of this city, and see those magnificent structures—the Wellington Barracks,—visit the Ordnance and Dockyards—and then you will have only a very faint idea of the amount of treasure Great Britain has lavished upon us. How much does the army, supported here for our protection, spend among us? In a few short weeks the harbor of Halifax will be alive with the wooden walls of England. Her brave tars will be on the spot to protect our interests, and leave their last dollar with our people. Should these things be forgotten or winked out of sight at the present time?

But, sir, it is not alone in this way Great Britain has shown us favor. She has not only done every thing for our protection and security, but she has given us the entire control of our local affairs—Responsible Government, and every liberty we enjoy having been got for the asking. Therefore, sir, as a Nova Scotian, I am ready to yield that deference to the wishes of the Imperial Government they have a right to expect. Their past treatment of this province is a guarantee that they desire to improve our condition by union. I have no hesitation in saying, that of all the dependencies of the Crown, Nova Scotia should be one of the most disposed to yield a deferential ear to Imperial counsels.

It may be said, sir, that my practice is inconsistent with my professions—that for the last eighteen months I have been opposing the policy of the British Government. I deny the imputation. I have never opposed that policy—on the contrary, I have advocated it. I consider there are only two classes in the Provinces who are in antagonism to the Imperial policy: those who are opposed to all union, and those, unwittingly so, yet equally hostile to that policy, who would force a scheme of union on the Maritime Provinces, which its opponents believe to be unjust, and its supporters know to be obnoxious to the great body of the people. Against that scheme public opinion has unmistakably pronounced, and if forced upon us the result will be the opposite to that desired. The British Government have no especial partiality for the Quebec scheme; they desire an equitable union of British America, and instead of opposing, I have always advocated such an union.

There are one or two other matters to which

I shall allude before turning my attention to the question I intend to ask. A few days ago this House went through all the solemn forms of a Conference with the other branch of the Legislature on a subject, the importance of which is admitted by every one—I allude to the protection of our Fisheries. What was the result of the deliberations of the joint committee of both Houses on that occasion?—What means did they suggest for that great service? Their report has been placed on our table, and what does it advise? An humble petition to the Queen's Government, praying for assistance. In our necessities we rush to the Colonial Office for aid and protection, and yet there are those among us who deny any reciprocal duty on our part—any obligation even to listen respectfully to the wishes of British Ministers. We know that although we may buy a blockade runner, and vote a few thousand dollars for the service, our Fisheries can have no adequate protection if England refuses us her aid. Now, I ask, is it reasonable to expect a favorable answer to our petition if we refuse to comply, at such an important period in our history, with the request of Her Majesty's Government?

Mr. Speaker, there is another subject to which I must refer, because its bearing on the question of Colonial Union is too palpable to escape the commonest observation. Every one will admit that the clouds impending over our political horizon at the present time may justly excite the most serious apprehensions. An organization, at first regarded with contempt, has been called into existence on this continent which has lately assumed very formidable dimensions—I mean the Fenian Brotherhood. A part of the avowed policy of this organization is the severance of the connection between these Colonies and Great Britain. The termination of the civil war in the United States has thrown loose on that country nearly half a million of daring and reckless men, with a taste for the license and excitement of military life, and a disrelish of the pursuits of peace. These men, from whom the Fenian recruits are chiefly drawn, are ready to embark in the most lawless and hazardous enterprises. The organization extends throughout the Northern and Western States, and boasts of having at its command any number of men and any amount of money for operations against the British Empire, which it seeks to dismember. It is not concealed that the vulnerable point through which this object to be attained is British America. Now, sir, perhaps this House will be astonished to learn that in the published platform of the Fenian organization, it is laid down as a leading object and duty of that body to prevent the consolidation of British power on this continent by the proposed union of these Provinces under one government. This fact has only come to my knowledge within a few weeks. I repeat, sir, it is laid down in the platform of the Fenian body as the paramount duty of every Fenian either in the United States or the British Provinces, to oppose and frustrate any union among us. Therefore, I say that the man who now opposes union—I don't mean the Quebec scheme—but who sets his face against all union actually endorses the leading principle of Fenianism! I do not believe there are a dozen men in Nova Scotia who would knowingly occupy this position, and I feel confident that when this fact is understood it will do much to popularize the Union sentiment in this Province, whose loyalty is prover-

bial. If there is a single argument that will more than another touch the hearts of our loyal population, it is that the enemies of British power everywhere are hostile to this movement, and the fact should cause many of us to hesitate and enquire what is our true position? If we have any regard for our present happy condition, or any desire to continue our connection with Great Britain, it behooves us to set our house in order, and to see that we are not, in more ways than one, in the words of the *New York Herald* "gravitating towards annexation." No one can doubt the patriotism of the people of Nova Scotia, and if a hostile raid were made upon any portion of our country, the invaders would meet with a reception they would not soon forget. But who does not know that the favor and protection of Great Britain would be to us a source of greater security than maintaining a standing army of 100,000 men?—With the power of the greatest Empire under the sun at our backs, we could present a fearless front to all the world. If it were desirable for no other cause than these Provinces should be consolidated—then that we would thereby disappoint the enemies of our country, it should be a strong inducement to union. But when in addition to this fact by that step we would secure the protection of the mother country—when she only asks from us an act of just filial obedience to induce her to stretch forth her powerful arm to guard our property and rights—this ought certainly to be sufficient. I say, therefore, in view of these facts—in view of the dangers which have developed themselves within the last few months. If we can obtain an equitable union, it is the duty of every man who desires to uphold British connexion—who is opposed to annexation—who has no sympathy with Fenians, and who does not wish to be consigned to the tender mercies of the lawless gang, to promote such an union of those provinces.

Now sir, holding the opinions I do in reference to this great question—advocating the principle of Union and opposing the Quebec Resolutions, I have been asked by the press of this country, and I admit not unfairly asked, to define my position. I have been asked to justify my conduct in opposing a scheme embodying a principle to which I am committed, without offering any other means of attaining the end I profess to have in view. Well, sir, I am here to-day to define my position, and to answer the other objections urged against me. I am also here to make an important enquiry of the Government. As to my position, I am in favor of an Union—a Federal Union of these Provinces. I believe such a Union best suited to the exigencies of our situation. If a Legislative Union were practicable I would prefer adopting the Federal principle in forming an union of British America. Among the admirable speeches delivered some years ago, in this House, on this subject, that of the present Chief Justice, in which that able lawyer and shrewd politician contended that a Federal Union was best suited to our circumstances, appeared to me the most statesmanlike and sound. Accepting, then, as I do, the principle of a Federal Union, I desire to ask the Government if there is no common ground on which the supporters of the Quebec scheme—abandoning that scheme—can meet the friends of an Union on more advantageous terms, and arrange the details of a measure that will be just and satisfactory to the people? I think there is a common ground,—a ground on which I am willing to take my stand regardless of who follows me. If the Government will publicly abandon the Quebec scheme, and introduce a resolution in favor of a Federal Union of British America—leaving the details of the measure to the arbitration of the Imperial Government, properly advised by delegates from all the Provinces, I promise them my cordial support. This would be commencing rightly. By getting the endorsement of the Legislature, in the outset, of the principle of Union, and its authority to enter on the settlement of the details of a scheme, the friends of the measure would occupy a very different position from that occupied by the delegates to the Quebec Conference, who went to Canada, in 1864, without any authority from Parliament. No small amount of opposition was at that time excited against confederation from this cause. It had much weight with myself

and many others, who looked upon the action of the delegates as an improper usurpation of power. Another conference on this side of the water has been suggested in certain quarters, but if we really desire a practical result, it cannot be entertained. To reopen negotiations here at the present time would be only to retard Union for some years to come. Besides I believe the most certain means of obtaining justice for the Maritime Provinces, would be to leave the settlement of details to the Imperial Government. I ask is there a tribunal in the world to which Nova Scotia might more confidently appeal for justice than to that august and impartial body? Its integrity—its wisdom—its intelligence are beyond dispute. I say that if there be a tribunal, where might will not prevail against right, it is the one I indicate. If we can get justice any where we will get it from that tribunal, and I ask does any Nova Scotian desire more than justice? This subject has engaged the attention of the public men of Great Britain. It is well known in that country, that the difficulties in the way of union are principally with the Maritime Provinces, and if we throw ourselves confidently on the justice of the British Government, I believe we will receive even a partial arbitration of our rights. I know of no means by which we can more effectually conciliate the affections and secure the favorable consideration of the Queen's Government than by thus proving our confidence in its justice, and our anxiety to meet its wishes. I therefore ask the leader of the Government, and through him the advocates of the Quebec scheme, whether they are so wedded to that scheme as to be unable to entertain the proposition I, as a friend of Colonial Union, now frankly make?

I will not deny that the extraordinary reaction that has taken place in New Brunswick in regard to Union, and the admitted partiality of a large majority of the people of Nova Scotia for the abstract principle, coupled with the firm but constitutional pressure of the Imperial authorities, afford grounds to apprehend that before very long even the Quebec Resolutions may be carried in the Maritime Provinces. The object of my present movement is—and I fearlessly avow it—to defeat the Quebec scheme. Before it is too late—before we are borne down by the powerful influences against which we are now contending—while yet we have a formidable army in the field—while our opponents respect our strength and hesitate at an engagement—is it not wise to seek the most advantageous terms of compromise? Men of extreme views—men who desire to make this great subject a stalking horse on which to ride into office—in short, individuals "with other ends to serve," may condemn the course I have taken, but no one values the censure or approval of such men. I shall lose nothing in severing my connection with them, while I feel my conduct will be generally sustained by the intelligent portion of my countrymen. But I do confess that this step may sever me politically and personally from a few gentlemen, sincere in their opposition to all union—whom I respect, and whose friendship I value. I shall regret it, but must frankly say, I desire to maintain no connexion, I am prepared to throw away any friendship, that can only be preserved at the sacrifice of my convictions. If I have been marked for anything while I have been in this Assembly, it has been for independence of action, and fearlessness in the expression of my thoughts. I have never acknowledged allegiance to any leader or party in this House. I have never attended a party caucus in my life. Among the gentlemen I address, no one within the past two years has come more frequently into keen collision here and elsewhere with the occupants of the Treasury Benches than myself. I am certainly indebted to these gentlemen for no favours, and I can point to more than one act of personal and political injustice received at their hands. But, sir, I would be unworthy of my position in this Legislature, if I could allow considerations of this nature on one side or the other to controul my action in the presence of a question of the highest magnitude. I will not deny that I have some ambition as a public man, but my highest ambition will be gratified, if I can contribute a humble stone to the edifice of Colonial Union. Before, however, I can yield any assistance to the builders, the model of the proposed structure must

be altered, and the whole design undergo the revision of an architect in whom I have confidence.

Sir, the hostility I have all along evinced to the Quebec scheme of Confederation has frequently been attributed to a desire to defeat the government, and thus promote my own political prospects. I trust that the course I have this day taken will be a sufficient answer to this charge. If such were my desire my end would be most certainly attained, in the present wide-spread hostility to that scheme, by maintaining the position I have occupied for the last eighteen months, without committing myself to any proposal for the solution of our difficulties. But as an avowed Unionist, such a course would be indefensible, and I am not willing to pursue any course I cannot defend. Nor do I seek any temporary triumph over my political opponents at the expense of the highest interests of my country. If the government are animated by sentiments of moderation, justice and good policy, they shall have my humble aid in the great work in which they are engaged. I hope we may find a common ground of co-operation in our efforts to improve our present condition of isolation and obscurity, and elevate Nova Scotia to the position it surely intended her to occupy. But, sir, do not let me be supposed to underrate the present position of this Province. Far from it. Even as she is, I am proud of my country, and grateful for the happy home she affords her sons. Yet proud, sir, as I am of the little sea-girt province I call my native land; proud as I am of her free institutions—her moral status—her material wealth; proud as I am of the name of Nova Scotian—a name which the genius and valour of my countrymen have inscribed high on the scroll of fame; proud, I say as I am, and may well be permitted to be of these things, I have never ceased to entertain the hope, expressed in this legislature in 1864, that the day was not far distant, when you, sir, and I, and those who listen to me—in common with the inhabitants of these noble Provinces, united under one government, might stand before the world in the prouder national character of British Americans.

Hon. PROVINCIAL SECRETARY replied:—I have listened with much gratification to the address which has just been delivered to this House by the hon. member for Richmond, and I confess that I am not surprised that, distasteful as the Quebec scheme of Union has been to many persons in this country, in the existing condition of public affairs in British North America, the attention of the strongest opponents of that scheme should be directed to the great question of what solution may be found for the difficulties of the position in which we are placed. Having taken a part in maturing that great measure—having, on former occasions, felt it my duty to vindicate the scheme that was propounded for the consideration of British North America, I cannot be supposed to enter into the feelings of the hon. member for Richmond in his denunciation of that scheme. I believed then, and I believe now, that the plan of Intercolonial Union that was propounded by the Conference at Quebec and which has obtained so marked a degree of favour and approval from Her Majesty's Government, did afford the people of British North America the most ample guarantee for the rights and privileges of all sections. But I am not insensible to the fact that many objections have been raised against that scheme, and that many gentlemen who have taken a most prominent part in opposing various features of the measure, have in the Press, as the hon. member has in his place in Parliament, declared themselves in favour of a Union of British North America, that would be acceptable to the people of this county. I am not, standing in the peculiar position I do, able, how-

ever, to give a direct and unequivocal statement of the views of the government or of the promoters of the Quebec scheme. The House is well aware that this question has from the first been submitted to the people as one in which the government divided the responsibility with gentlemen who were politically opposed to them. Occupying this position the government would have been not only wanting in courtesy to the gentlemen who had supported them, but would have failed in their duty in respect to a great public question, if they had ever treated it in a party aspect.—In dealing with this question the government have always consulted the wishes and inclinations, and carried with them, the co-operation of the gentlemen who are politically opposed to them. Under these circumstances it would be impossible for me to state the views of the government, except on consultation with those who have acted with us, and are parties to the scheme of Union. But as far as I may state without consultation, I believe that all the gentlemen who have been engaged in maturing the Quebec scheme have had no other desire than to meet the wishes and consult the best interests of their countrymen. They have always looked upon this question as too solemn in its character to allow it for a single moment to be influenced by any considerations except the welfare of the country. I am not at all surprised at the statements made by the hon. member.—The last twelve months have been pregnant with circumstances that must give an importance and an urgency to this question of Colonial Union such as it has never obtained before. In view of the altered condition of things I am not at all surprised that the most strenuous opponents of the Quebec scheme are ready to co-operate on some common ground on which they and the promoters of that scheme will be prepared, at any sacrifice that they can make consistently with the great objects to be obtained, to deal with this question with the gravity that its importance demands, and arrive at a consummation that will be acceptable to the great body of the people.

Mr. ANNAND—After the very remarkable address delivered by the hon. member for Richmond, I think it right at once to declare openly that the question asked by the hon. gentleman has taken this side of the House by surprise. When he comes to us and propounds a delegation to the Colonial office—invites the interposition of the Colonial Government to settle a question involving the rights and liberties of this people—asks the Home Government to arrange the question without reference to the people, I look at this hon. member with surprise, and recall the sentiments that he uttered on former occasions. I feel strongly on this subject. It is an attempt to barter away, to sell the rights and liberties of the people. I do not know the influences that are at work, but I can imagine them. I never expected to live to see the time when, on the floors of this Parliament, a gentleman could arise and ask that our condition should be decided—where? not in your own Parliament, but by gentlemen sent across the water with *carte blanche* to settle the whole matter. The hon. member says he is in favor of the abstract principle of Union. I may or may not be in favor of it, but I cannot be a party to send the question for a

final decision to the Colonial office. We know that the Canadian element is predominant there, and these Maritime Provinces, however largely represented, would have little influence. The scheme that would come back would be substantially that of Quebec. I could have understood the hon. member had he proposed—and the proposal may be in harmony with my own views—a Convention of all the Provinces, called with the sanction of the Crown, in British North America. Such a Convention would consider the whole question, and come to an agreement, which could then be submitted to the people. If he had proposed some such scheme as that, I could have understood the hon. member; but to take the whole question from this House is what can never be agreed to by the people. I do not misinterpret the feeling of this country when I say that there is a universal feeling against any union with Canada. I do not say that this feeling is wise,—there may be a good deal of prejudice mixed up with it; but to follow the course proposed would be to destroy all hopes of unity. I am surprised at the motion of the hon. member, but I apprehend the result. The Government are only too glad to see a way of getting out of their present difficulties. However, I know if there is a lack of patriotism and intelligence in this House, it is not the case elsewhere. Feeling that, I do not hesitate to say this: A Union of these Provinces, consummated in this way, contrary to the wishes of the people, will not be worth the paper upon which it is recorded.

Mr. MACDONNELL said,—I would not, Mr. Speaker, undertake the task of addressing the House upon this occasion and without more preparation upon so important a subject, were it not for the sentiments which have just fallen from the Hon. Prov. Secretary. Neither do I do so without a full conviction of the responsibility I assume in the course I intend to pursue. I felt happy, Sir, to observe the position taken by the hon. leader of the Government, and I trust that this position will be approved of and endorsed by his hon. colleagues, and by those associated with him at the Quebec conference. The hon. gentleman has at length shown a disposition to abandon that pet scheme of Union, which, for such a length of time he and his friends appeared determined to fasten upon the people,—a scheme, in my opinion, as obnoxious and distasteful to the country, as it would prove injurious to its best interests. I rejoice to find the spirit in which the enquiry of the hon. member for Richmond has been met, and I feel I would be wanting in the performance of duty, if I did not avail myself of this, the first opportunity of expressing my satisfaction.

The question before us, I need not say, is one which demands mature and deliberate consideration, and should not be determined in a day; but it is now before this house for the second time, and since it was first brought under our consideration it has engaged the attention of our press, wherein it has been canvassed in all its features. It has been debated at length in this Legislature and on the public platform. And it has brought our ablest and leading minds into desirable contact in its discussion. Taking the results of its agitation in these different arenas together, with a glance at the

events which have transpired within the last year, and which are daily being enacted under our view, there is but one conclusion that can be arrived at by every honest man—by the admirer of British institutions, and that is, that *Union we must have*. This is a fact which is admitted almost on every hand—by the opponents of the Quebec scheme as well as its supporters. I was indeed surprised when I saw the course taken by the hon. member for East Halifax, who has just set down. When I saw that hon. gentleman rise to address the house, I expected it was to approve of the proposition made by the hon. member for Richmond, and which was so satisfactorily met by the leader of the Government.

How could I expect differently, when I read the paper which I hold in my hand? Can that hon. gentleman pretend to deceive this House as to his own opinion on the subject? How dare he say that he “will not inform the House whether he is for Union in the abstract or not? He must first deny his connection with one of the leading organs of opposition to the Quebec scheme, before he can ask this house to entertain a doubt as to his real position. Let me read an extract from the editorial column of the *Morning Chronicle* of the 24th of January last, of which that gentleman is Editor:

“And what then? Are we indifferent to the future of British America? Have we arrived at the conclusion that nothing should be done?—that we can remain forever in our present condition? On the contrary, while we claim that these Colonies—at all events the Maritime Provinces—never can be bettered by any change in their political situation, we feel that they cannot, in the very nature of things, always continue as they are. They may, it is true, go on for years and enjoy their present prosperity, but after all the time must come when they will be required to form new relations, whether with each other and the mother country will largely depend upon the exercise of great tact, wisdom, and forethought on the part both of British and Colonial statesmen.”

“But it is because we feel that we must sooner or later make our choice between the mother country and the United States, that we desire to see this question of Colonial Union, now that it is fresh in the minds of the people, set at rest.”

This journal then, sir, the leading one of this Province in opposition to the Quebec scheme—the organ of the hon. leader of anti-Confederation in this country—is, as you see, not only a strong advocate of union, but urges that the question be immediately, while fresh on the minds of the people, set at rest, and recommends the means for doing so. If, then, these are the sentiments and opinions of the great leader of anti-Confederation, are we not to assume, that his followers entertain the same opinion, but like their leader, have an object—yes, too apparent an object in offering a factious opposition. The union of these Provinces is desired because it is a necessity. Considering the present happy, peaceful and prosperous state of this Province I should feel happy indeed did this necessity not exist; but while circumstances do exist which to every sensible man leaves no room to deny this necessity, we in the position of the representatives of the people, holding the destiny of our common country in our hands, are bound by the highest duty we owe to the people of this Province to set this question at rest immediately, to use the words of the great leader of the anti-Confederate party. These circumstances are to well known to every gentleman

in this house, and many of them have been too eloquently descanted upon by the hon. member for Richmond to require that I should refer to them at length.

Whatever my opinions on this great subject were a year ago, occurrences transpiring in the interim, and events which mark the present as a time for action rather than words to be our duty, leave no room for doubt in my mind as to what this House owe to the country.—The repeal of the Reciprocity Treaty is no longer a matter of doubt, as it was when we last sat here. The cause of its repeal is ominous of a state of things and of a feeling which should make us active for Union. It was not for advantage to themselves, because there was none, that the United States determined this treaty; but, as is well known, to evince the hostility that the great majority of the people of that country entertain toward us as British subjects, and to injure and embarrass us in the channels of our trade. The position of these Provinces could not but be regarded as humiliating, when obliged to send delegates, in detached parties to Washington, to beseech the continuance of that treaty. Severed, we are obliged to apply to foreign and hostile countries for leave to trade and interchange articles of commerce with them, while if united as proposed, we could cultivate and have within ourselves all these resources. Since we last met here, the British Government have declared and given most unequivocally to us their policy and advice on this subject. In the despatch from the Colonial Secretary of the 24th June last, we find the following expression of that policy:

"You will at the same time express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one Government. In the territorial extent of Canada, and in the maritime and commercial enterprise of the Lower Provinces, Her Majesty's Government see the elements of power, which only require to be combined in order to secure for these Provinces, which shall possess them all, a place among the most considerable communities of the world. In the spirit of loyalty to the British Crown, of attachment to British connection, and of love for British institutions, by which all these Provinces are animated alike, Her Majesty's Government recognize the bond by which all may be combined under one Government. Such an union seems to Her Majesty's Government to commend itself to the Provinces on many grounds of moral and material advantages,—as giving a prospect of improved administration and increased prosperity."

Again in a despatch from Mr. Cardwell of 26th Sep., 1855, relating to the appointment of our present Lieutenant Governor, and in the appointment of this distinguished officer we observe in the choice made, which affords all Nova Scotians connected with that appointment just pride, and in other circumstances the desire of the Home Government for this Union, spoken in a most significant manner. In this despatch I find the following:

But as he, (Sir R. MacDonnell,) has been appointed to Hong Kong, expressly on the ground that the declared policy of Her Majesty's Government will, if successful, lead to the abolition of the office of Lieutenant Governor of Nova Scotia, it would be evidently inconsistent with that policy to appoint in his place another Lieutenant Governor in the ordinary way.

Here we have the policy of the British Government plainly declared. There may be gen-

tlemen in this house, desirous of frustrating that policy, but I will not be found among them. I consider it our bolder duty to acquiesce in the wishes of those to whom we look for protection, who, during the past year, has expended in our defence an amount not exceeded by our entire revenue. The Quebec scheme being to a certain extent abandoned, the only question remaining is, to what tribunal can we appeal for a settlement of the terms of Union? I think that the proposal made by the hon. member for Richmond to refer the question to the arbitration of the Colonial office or of some other tribunal in the mother country would afford us a guarantee of our rights, and this proposition emanating from us must entitle us to peculiar consideration by any such tribunal. I did not rise to address the house at any length, but I desired to take the first opportunity of expressing these views.

I trust gentlemen will not hesitate to admit it if they experience a change of opinion on this great question. Besides the events which have occurred within the last twelve-month, the question being of itself of such magnitude, and contemplating changes so great in our situation and constitution, is one which would naturally be looked upon with caution at first, and it is not inconsistent that these gentlemen should, after due examination, if it be found to alter their views act on this convictions. In this connection, I may read the following from Mr. Cardwell's despatch, already referred to:

"I am aware that this project, so novel as well as so important, has not been at once accepted in Nova Scotia with that cordiality which has marked its acceptance by the Legislature of Canada; but Her Majesty's Government trust, that after a full and careful examination of the subject in all its bearings, the Maritime Provinces will perceive the great advantages which, in the opinion of Her Majesty's Government, the proposed union is calculated to confer upon them all."

I feel it to my duty to support the proposition for such a union of these Provinces as will be found to be based on principles of equity and justice. I care not how much my personal position may suffer in taking this stand, this is the duty I owe to the country; and every member who regards the events which are transpiring among us should seize the opportunity offered if the proposition made be accepted.

Mr S. CAMPBELL.—If a gentleman, speaking with his brief before him, feels inadequate to the occasion, I, coming here unprepared for the debate, must have some excuse for the crudeness of my observations. This question is one of the deepest moment to the people of this country and to this legislature, and I would not be worthy of a seat within these walls if I were not prepared on the instant to express my sentiments upon a matter so pregnant with weal or woe to the province. I listened with interest and pleasure to the hon member for Richmond, because I felt that he was sincere in his observations,—I will not attribute any unworthy motives for the course which he has taken, but notwithstanding that I give him credit for candor and sincerity, I am not prepared to acquiesce in the result at which he has arrived until the people express themselves in a different tone and manner from those in which they have been expressing themselves

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for two or three years past. I do not believe that they desire a change in the constitution, or that they are willing to have their rights transferred to any quarter. We have had during the present session, petitions from every part of the province, praying that the house will not sanction a scheme of union without a reference to the people at the polls—that tribunal alone having the power to change our constitution, and the hon. member who has addressed the house himself presented petitions to that effect within a few hours. Such petitions have come from my constituents and I will not be a traitor to their rights and feelings by consenting to such a change as is proposed. I consider that there is another difficulty in this case: the Quebec scheme was entered into by several parties, they all concurred in its ratification, and must all be applied to in its abrogation. It is not in the power of the government to say yes or no to the demand which has been made,—they may express their individual views but it is not in their power to cancel and destroy that scheme. I feel that no action should be taken on this question until the people have passed upon it and until then I will not go even with the proposition made by the hon. member for Richmond.

Mr. MILLER:—The hon. member for Halifax in the course of his speech threw out some insinuations which I can safely regard with contempt. There is not a man in the House from whom I should be more willing to receive such insinuations. He says I am acting inconsistently in attempting now to pass a scheme of union without an appeal to the people,—I omitted accidentally to refer to that subject in course of my remarks, when I explain my position in that respect my reasons will I think be satisfactory to the country, but it is not under the influence of such innuendoes and taunts as have been thrown out by that hon. member that I will be induced to express my views,—that is a matter of courtesy and he has placed himself beyond the bounds of courtesy by the remarks which he has made.

Mr. ARCHIBALD:—I trust we will not approach a question of so grave a character with any exhibition of temper, and while I am not surprised at the feelings of the gentleman who has just spoken, I deprecate such expressions upon this occasion. I will say in reference to some observations that have been made, that it is going too far to speak of the Quebec scheme being abandoned. I was not surprised when the Prov. Sec. rose and stated that he was not in a position to give an answer to the question because he can hardly be said to represent even Nova Scotia, for he was but one of those who represented this Province.—It is not very agreeable to gentlemen interested in the Quebec scheme to hear the allusions that have been made; I am prepared to advocate that scheme as conferring upon these Provinces everything that they should ask. At the same time, no one would be more pleased than I if further concessions could be obtained; but any such concession must be obtained at the expense of some other Province. I agree with the hon. member for Richmond that no new scheme would place us in a worse position. The reticence with which the Prov. Sec. approached the question was due to the gentlemen, in this

country and beyond, who were connected with the formation of the present scheme of union.

Mr. TOBIN: I was greatly astonished on coming into the House to hear the hon. member for Richmond addressing the House on this subject. I would not do anything distasteful to the great body of the people; and until proper consultation is had, I think the discussion out of place.

Mr. LOCKE: We sometimes read of villages while in a state of apparent security, being overturned and overwhelmed by an avalanche. But the surprise of persons in that situation could not be greater than that of some gentlemen with whom I sit at what has occurred. It was astonishing to hear the remarks of the hon. member for Richmond, who, though he always favored a union of some sort, was an uncompromising opponent of the Quebec scheme; but how much more so to hear the expressions of the hon. member for Inverness, Mr. McDonnell, who was an uncompromising opponent of any species of union.

The discussion then ceased.

PETITIONS.

Hon. ATTORNEY GENERAL presented petitions signed by the representatives of three mining Companies in reference to the extension of mining leases. They were referred to the Committee.

Mr. ROSS presented a petition signed by 49 inhabitants of Victoria County against Confederation.

Also a petition of 41 inhabitants of Baddeck on the same subject.

Also another petition, on the same subject, to which he said considerable importance should be attached, as it was signed by the Custos and all the magistrates, of every political party, who attended the last Sessions of Victoria County.

Mr. ANNAND presented two petitions from Inverness against Confederation.

MILITIA UNIFORMS.

Hon. ATTY GEN. laid on the table correspondence relating to uniforms for the Militia.

Hon. PROV. SEC. said that no doubt great inconvenience was caused by drawing 50,000 of the inhabitants of the Province annually for five days from their ordinary pursuits, but it was necessary for placing the country in a proper attitude of defence. Nothing would more fully tend to impart a martial spirit to our local forces than a uniform of some description. He trusted that some means could be devised by the committee, for providing a cheap uniform for the Militia.

The papers were referred to the Militia Committee.

MISCELLANEOUS.

Mr. ARCHIBALD introduced a bill to amend the law relating to County Assessments.

Hon. ATTORNEY GENERAL suggested in view of the importance of the subject, that the bill be referred to a select Committee.

Mr. ARCHIBALD consented to do so, and the bill was read a second time.

Mr. SHANNON presented a petition from the Grand Division of the Sons of Temperance in favour of the establishment of an Asylum for Inebriates, and urged the desirability of favorably considering the prayer thereof.

Mr. BLACKWOOD presented a petition from D. Fraser and 500 others, of Tatamagouche, in

reference to the sale of groceries and liquors in one store.

THE SCHOOL LAW.

The House then went into Committee and took up the School Law. The second clause providing for the imposition of 30 cents a head on the inhabitants of the counties &c., was read.

Some desultory discussion ensued.

Mr. STEWART CAMPBELL said as he saw it was useless to prevail upon the House to do away with the taxation principle, he would move that 10 cents be substituted for 30.

On a division the motion was lost by 26 to 16. He also moved that 15, and again that 20 cents be substituted, but both motions were lost.

Mr. COLIN CAMPBELL moved in favour of sectional assessment, but the motion was also lost by a very large majority.

Mr. BILL moved that the Clerk of the Peace add this sum to the rate roll, provided it be recommended by the Grand Jury and sanctioned by the Court of Quarter Sessions.

The motion was also lost, and the clause then passed.

The Committee rose and reported progress. The House adjourned.

WEDNESDAY, 4th April, 1866.

MISCELLANEOUS BUSINESS.

The house met at 8 o'clock.

On motion of Mr. Archibald the bill in relation to County Assessment, which he had introduced on the previous day, was referred to a Special Committee, comprising Archibald, Attorney General, Allison, Hamilton, Brown, Hebb, Ross.

Mr. KILLAM introduced an act in respect to Assessment for Schools in Yarmouth.

Mr. COLIN CAMPBELL presented a petition from Digby against Confederation.

Mr. ANNAND, petition from South East Halifax County, praying for an extension of postal communication; also from Gay's River on the same subject.

The house then went into Committee, and took up the School Bill.

The 31 clause was read. It provides that any sum required by any section over and above the sums provided by the province and county for the support and maintenance of a public school or schools during the ensuing year, including the purchase or improvement of school grounds; the purchase, erection, furnishing, cleaning, or repair of school-houses and out-buildings, etc., shall be determined by a majority of the rate-payers present at a regularly called school-meeting; and any amount so determined shall be a charge on the section, and shall be levied on the real and personal property within the county of the residents of the section according to the county rate roll.

Mr. BILL moved in amendment that after the word "section" the following words be added: "with the exception of unmarried females, widows, and males over 60 years of age, to the extent of \$1000."

Some desultory discussion ensued, and as the opinion of the house appeared to favor the exemption of widows and unmarried females alone from sectional assessment, to the extent of \$1000, Mr. Tobin moved to that effect in amendment. The motion was carried.

Mr. BILL again moved that all parties over 60 years of age be exempt. Lost.

Dr. HAMILTON moved that the words "having children between the age of 4 and 18 years," be inserted after section. The motion was lost.

Mr. JOST said he was opposed to the clause under consideration, as far as the maintenance of the school was concerned. A second assessment was most arbitrarily enforced on all. This would be unfair to those not directly interested in the school; they should not be compelled to pay this second tax. Why, in Canada they were ten years under one skillful-guiding hand, before it was got through in its present shape. There, the Legislature did not tax the people at all. A certain amount of aid is offered to each municipality on condition that an equal sum shall be raised by the people. If the county or township refuse or neglect to do so, the money voted by the State is withheld; there is no other penalty. He thought where the tax was compulsory, as in Nova Scotia, the State should pay a larger sum than otherwise; enough being assessed only to make the people feel interested in the school; and those two sums should be sufficient without further taxation.

The clause passed without a division.

The remaining clauses were passed without any material amendment.

Hon. PROV. SECRETARY added a clause to the effect that each board of Commissioners shall determine what sections are entitled to special aid, and make provision accordingly, and the superintendent of Education shall be entitled to increase the allowance for such poor sections in proportion to the teachers in the section.

Mr. PRYOR advocated that the amount of the 6 months assessment upon the poorer sections be devoted to the purpose of erecting school houses therein. The Provincial Secretary explained that the clause just added would meet the difficulty.

The clause in respect to payment of inspectors was altered in consonance with that of the present law.

The portion of the bill respecting schools in the city of Halifax was next taken up and passed.

The following bills were also passed through Committee:—To incorporate the Nova Scotia Chamber of Commerce, with an amendment allowing the admission of members and ex-members of the Legislature; to amend the act respecting the Board of Health of the city of Halifax; to authorize the sale of school lot at Bridgetown; to legalize assessment rolls in the district of Barrington; to amend the act respecting the Registration of Births, Marriages, and Deaths.

Mr. PRYOR, from the Committee on Private and Local Bills, introduced an act to incorporate the Roman Catholic Mission at Arichat; also the Bill to protect the navigation of Cow Bay, C. B.

THE PROVINCIAL AND CITY BONDS.

Mr. TOBIN called attention to the fact that sometime ago a resolution passed in the Chamber of Commerce, Halifax, which he had placed in the hands of the Provincial Secretary. It referred to a matter which at the present time was largely engaging the attention of the

community, and there was no doubt that some remedy ought to be provided for the difficulties that now existed. Under the law, Provincial and City Debentures, were exempted from taxation, and the result had been that a large number of them had been sold for some time past. They had absorbed to some extent all the capital that was available, and citizens could now scarcely obtain the money they required on mortgages at 6 per cent., which are liable to taxation. Lenders of money of course gave preference to those securities—Provincial and City Debentures—which they could obtain at 6 per cent., free from taxation. The result was, that persons engaged in building houses, and making any improvements, were actually brought to a stand still in consequence of the want of money. Parties who had money out in mortgages were calling it in for the purpose of investing it more satisfactorily, and a great many people were accordingly put to very great inconvenience, for they could not find any one willing, under existing circumstances, to supply them with the money they required. He therefore felt that it was necessary that the question should be dealt with immediately by the house. He was not prepared to say that the time had come when the people of this country would be willing to see the Usury Laws repealed. Some persons, however, contended that the legal rate of interest might be properly fixed at 7 per cent.—Certainly it was not right that the industrious men of this country should be exposed to the great inconveniences they were now subject to from the causes to which he had made reference. It was therefore necessary for the house to consider whether it would be wise to raise the legal rate of interest, or subject the securities in question to taxation, so as to place every one in the same position. He would, however, take another opportunity of bringing the question before the house in a more definite shape.

Hon. Mr. SHANNON said that there was no doubt the money market in the city at the present time was very seriously affected, but it was well to bear in mind that the same state of things also prevailed in Europe. Some years ago money could be obtained easily for 3 and 4 per cent. in England, but for the last three or four years the average of interest had been about 7 per cent. A gentleman, now in London, had been of late withdrawing his money from this city, and investing it in England since he found he could do so more profitably. Capitalists, no doubt, would be satisfied if they got six per cent., but the fact was they did not get it, since their money invested in mortgages must pay taxation. It was necessary to devise some means that would meet this difficulty arising from a conflict of securities. There was no doubt that money on mortgages was, under ordinary circumstances, the most desirable mode of investment.

Hon. ATTY. GENERAL said that the difficulty had arisen from an attempt that had been successfully carried out in the city of Halifax to tax the same property twice. It should be also remembered that the value of money had arisen very considerably in England on account of the mania for speculation, and other causes. The money market in England naturally influenced the state of things in this country. It should also be taken into account

that other Banks had been established in this country. All these things contributed to make a scarcity of money. He did not think that the principle upon which city taxation was levied was the right one. Was it right that the man who owned the property should pay taxes on it, as well as the man that lent him £500 on it? Considering the thing in its true light, the man who borrowed the money was taxed twice. This fact taken in connection with the causes to which he had referred, explained the difficulties that were stated to exist in Halifax.

Mr. TOBIN differed from the hon. Attorney General as to the double taxation on which he dwelt so strongly. A merchant occupying a store filled with merchandize, is taxed for every dollar of that visible property. On the other hand here is a man sitting in an office, with only desk and stationary before him, he has no other visible property; but yet he is perhaps dealing in very many thousand dollars. Should not such a man be taxed for his business—money lending—as much as he who is taxed for his barrels of flour and hogsheads of molasses? In fact the money lender had better security in mortgages than a merchant could by any possibility have in his business relations with his customers.

After a few further remarks from Mr. Shannon, the Attorney General, the Provincial Secretary laid on the table the resolution from the Halifax Chamber of Commerce referred to by Mr. Tobin.

The House then adjourned.

THURSDAY, April 5, 1866.

UNION OF THE COLONIES.

Mr. ANNAND said:—I felt, Mr. Speaker, when the hon. member for Inverness, Mr. McDonnell, addressed the House, that the time had come when I should define my position on the question of a Union of the Colonies, and I shall now invite the attention of the House to that position. I have always been in favor of a union of the Maritime Provinces, and my views upon that subject entirely accord with views expressed by members on both sides. I need not now recur to the Convention held at Prince Edward Island, or to what took place elsewhere when the Convention was dissolved. These are matters of history, and I will merely allude to the objections which I entertain to any union of the Colonies. I have always thought that the people of Canada were dissimilar to us in origin and pursuits, and that the fact of this Province being separated from communication with the world, excepting through hostile territory, rendered it politically impossible that a union in the present state of affairs could take place. I have also entertained, and have here expressed the opinion, that all the benefits of which we have heard can be obtained without union. Let me briefly refer to three of these,—in the first place, I maintain that all matters of material advantage relating to trade can be obtained without a political union. What is there to hinder us to-day from arranging a treaty of free trade in the manufactures of the different Provinces? I may be told that Canada will not entertain the proposition now;—perhaps, having the objects she has at present in view, might refuse, but in 1862 she was pressing

upon us such a mutual exchange. She felt then, and her leading manufacturers feel now, that they are the manufacturing people of British America. We are lower in the scale than New Brunswick, and it is therefore to the advantage of Canada to have free trade between the Provinces. As regards the currencies, I take it for granted that these could be arranged by the various Financial Secretaries in a week—I said in an afternoon last year. It is not necessary then for these purposes to have a political union. It is said again that we must have such a union before we can obtain the Intercolonial Railway, enabling us to have free and rapid communication with each other.—I deny it, and I point to the action of Canada in 1862, when she agreed with our delegates for its construction. Why it was not built it is not necessary to say, and I will not say, because I do not desire to create irritation between the governments of these colonies. That railway, thus bringing us into connection with Canada, however valuable it may be in time of war, as affording a passage for troops, I never regarded as of much importance in relation to trade, because while communication is open with Portland, there will be little or no traffic across the Intercolonial line. Though we may attach considerable importance to that line, yet I maintain it is not necessary to our existence. We live by the sea, and have free access to other countries,—but it involves the existence of Canada. She would have no access to the United States in time of war, and that railway would afford the only means of communication which she would have with the mother country. I therefore hold as I held in 1862 that however valuable the intercolonial railway may be to New Brunswick and Nova Scotia, it involves the existence of Canada. I say that no political union is necessary, unless Canadian statesmen, using it as a lever, say you shall have no railway unless you unite with us. Holding these opinions, I ask why is this union pressed? Two years ago our country was undisturbed and our people were quiet; now this Province is a scene of agitation from Cape Sable to Cape North. These difficulties did not arise with us, our people were contented and happy until Canada, embarrassed in her own condition pressed the proposals for union upon us, and I can point to speeches of Canadian statesmen which show that this was the cause of the agitation. There is another branch of the subject to which I will now refer,—the question of defence. It is said that if all the questions of trade, of postage, of the currency, and of the railway, could be arranged, the great question of defence yet remains. There would have been some force in the argument a year ago, but what has transpired since then? We have seen these two Provinces threatened by a lawless set of men, who contemplated an attack upon us; and what was their programme of operations? If these Colonies were to be attacked at all, they were to be simultaneously attacked,—then away goes the argument about Union as a means of Defence. Does it require a political union to arm the people of these Provinces? No, Sir, it is quite sufficient to shew them a common danger and they rally with one will in the common defence as is being practically illustrated at this hour. Take another

view of the question. I will assume that a union of the Colonies is desired, if not by us, by the mother country, and in speaking of the mother country I may say that all suggestions coming from that quarter I regard with the greatest respect, one reason for this is that we owe her much—we have contributed but little to our own support and defence, and that government throws its protection over us whenever it is required; therefore I say I yield great deference to the opinion of the Imperial Government but the question after all comes back to our own country and I ask who are the best judges of the institutions, under which they should live? The Home Government have given us institutions of which we are proud, and which we work out practically,—they have never shown a disposition to deprive us of these. It is not necessary that I should repeat my objections to the Quebec scheme, but I will say, whether owing to a break-down of the opposition to union, or owing to the opinions of the British Government, if a union should become desirable, and I should give up my own views, believing as I now do that such a union is undesirable, which is the best way to bring that union about? Assuming it to be desirable, and that it will not lead to independence of the mother country as I believe it will; assuming that the relations between the Provinces should be changed, I believe and hold that the railway should precede the union. Suppose, for instance, that difficulty arose from a Fenian raid, or for any other cause, and that a declaration of war being made, communication between the United States and Canada was severed,—suppose union consummated, and parliament convened to meet at Ottawa, how would we get there now? We should have to travel through the wilderness of New Brunswick, and I therefore maintain that the railway should precede the union. Suppose again that on a sudden outbreak of hostilities it became necessary to suspend the Habeas Corpus act, how would Parliament be assembled? The Government might assume the responsibility, but that responsibility is seldom assumed by any Government, and we saw a few weeks ago that Sir George Grey introduced a bill into the Imperial Parliament in reference to that subject. Then I maintain we should have free trade before the union,—we ought to know more of each other—at present the men of Canada West know more of the people of the United States than of us—that state of things should be reversed before going into the union, we should become familiar with each other and have large business intercourse, I believe that by a union with Canada the Maritime Provinces must suffer largely in treasure, in power, and in influence.—I think I may safely say that not one other of these Provinces will have this scheme, it has been refused in Prince Edward Island and in Newfoundland, and they will have nothing to do with it now in New Brunswick, and need I say that at present nine-tenths of the people of Nova Scotia would reject it? Under these circumstances, and yielding deference to the views of the Imperial Government, and assuming a union to

be desirable I ask what is the best mode of bringing the union about? I reply, by abandoning the Quebec scheme in the first place. The action of our Government can be of no avail in this particular unless the Government of Canada express the same determination, because the gentlemen composing the delegation to Quebec are bound to carry that scheme if possible, and it will require the consent of all of them to abandon it. Supposing the scheme abandoned, there are three ways of approaching the question. One mode is to assemble the leading minds of the Provinces—and when I say the leading minds, I mean not merely the gentlemen representing the views of those who went to Quebec, but gentlemen who have taken a prominent part against the Quebec scheme, gentlemen opposing any union at all, with a view to the full consideration of the subject, just as that which any question requires. Public men from all the Provinces should then be assembled in such numbers that all cause of jealousy should be removed. Let me here say, to guard myself from misinterpretation, that any scheme of union, after being thus considered, must come back to the Parliaments and to the people for ratification. I care not how perfect or how advantageous the scheme may be, unless the Parliaments and the people are consulted, it must fail to satisfy the country. Another mode would be to assemble Delegates, composed of the same elements, at the Colonial Office, where, in presence of Her Majesty's Ministers, the question could be discussed; but even in that case it must come back to be settled by our people. But there is a third mode that recommends itself to me: there is great diversity between the interests of Canada and those of the Maritime Provinces while the latter have many interests in common, I would therefore convene delegates from the four Maritime Provinces and see if they can agree on a platform for a union with Canada. I maintain that if the delegates were to assemble at the Colonial office, acting in detached parties, they would be cut into fragments, they would have no policy in common, and would be at the mercy of the Canadian influences by which they would be surrounded in London. Any policy, therefore, recommending itself to the people, must be matured as I think by the representatives of the Maritime Provinces. Then would come up this question:—Should not these four Provinces go in as one asking for equal representation with either of the Canadas and claiming it as their right and throwing overboard the unsound principle of representation by population, taking care also, that their revenues should be properly secured.—If the Maritime Provinces could thus be brought to agree upon a platform then let the debate be adjourned to the Colonial office, and our delegates being thus brought face to face with Canadian representatives, we might expect Her Majesty's Government to force Canada to accept such terms as reason would recommend. Even then the scheme must come back to us to be ratified, and do you think that the people, having confidence in the Maritime Convention and in the Imperial Government, would reject fair and reasonable proposals? I do not recognize the

necessity for a union, but I believe that in deference to the wishes of the British Government a scheme so arranged would be accepted. That was what I meant when I wrote the article referred to the other day; but I meant more—I meant that our relations with the parent country should be strengthened. What is there in the Quebec scheme to prevent a separation? I may be mistaken, but I thought I could see in England, during my recent visit there, a desire to get rid of these Colonies, and an impression that by Confederation England would be relieved of a portion of the expense which we cause at present. I was sorry to see in high quarters a desire that these Colonies should be got rid of; and I apprehend seriously that Confederation, pure and simple, is only another name for independence. I wish to guard against that; my desire is that British America should remain British America. I wish to strengthen our relations with the parent state, and I believe that the only mode of accomplishing that is by having representation in the Imperial Parliament. With that connecting link we would always form a part of the Empire. What is it that makes California or Texas a part of the American Union? It is their representation in Congress and in the Senate. Take away that representation, and how long will they form a part of the Union? They are each large enough and far enough away to set up for themselves. The time may come when these Colonies will be required to come forward in defence of the mother country; and if I were an Englishman I would never consent to any step approaching independence. I saw a calculation the other day which showed that the coal fields of Great Britain, upon which her enormous prosperity to so great an extent depends, will be exhausted in about 112 years, but at the present rate of consumption that period would probably be reduced to fifty years, and America being in possession of the coal mines of Nova Scotia, of her fisheries, and of her maritime facilities, would become immediately the first maritime power in the world. Looking to her manufacturing interests alone England should preserve the colonies, and if she would make them a part of the Empire, the great mill of manufacture might be transferred from the old world to the new. Looking at the matter as an Englishman, I would say, suppose Confederation takes place and the Province become independent their connection with the mother country is gone, and what if annexation should follow?—Suppose America were to ally herself with Russia, and she has strong propensities in that direction, even the safety of the British islands would be imperilled. British statesmen should view the matter in the light of expediency, and instead of endeavoring to get rid of us on account of our expensiveness, they should draw us nearer to England, making us a part of the Empire, and giving us representation in her Parliament. Any scheme wanting that element will, I believe, be defective, and any scheme which does not improve our relations with the Mother country will certainly eventuate in independence. Suppose that by the repeal of the reciprocity treaty Canada should

become impoverished and, as was said the other day, that she should come begging for annexation and that we were connected with her, what security would we have for our British connection, I repeat that I am opposed to any scheme of union that will not contain a provision for an improvement in the relations of the Empire.—Looking at it from an English point of view it will be seen that the Colonies having separated from the parent state the Empire will become, to use a common phrase, demoralized, and its extent will be confined to the limits of the British Islands. That is the view in which the question should be regarded by British Statesmen. By such a scheme as that which I have proposed the onus of a settlement would be thrown on those who really oppose it. That is the mode in which I would approach the question of union,—I would be willing to advocate such a cause if the subject be pressed upon us, but I have yet to hear the first substantial argument in favour of Confederation. If the policy of union be pressed upon us by the Imperial Government let us labour to procure such a scheme as will be acceptable to the Colonies, — let it be a union of the hearts and wills of the people not one forced upon them. We were elected for a different purpose,—the questions before the people at the time when we were elected were violations of law and order, questions relating to re-entrenchment, to the suffrage, the question of turning out of office one set of gentlemen who had held power for four years. The question of a change in their constitution was therefore not before them. It would be a rash thing on the part of this legislature to say that the men elected to carry out the “well understood wishes of the people” should ratify a scheme of union against the repeated protests which have been made. If we are to be united let us approach the question in a right spirit, and not in the tone of temper which was indulged in the other day. Looking at the great future of these Provinces let us consider, not only what would be best for us, but what will be best for our children coming after us.

REPLY OF HON. PROVINCIAL SECRETARY.

Dr. TUPPER said:—The hon. gentleman has raised a question of such deep importance and interest to the people of the Province that I feel it my duty, as a member of the Legislature, to take immediate notice of the observations which has fallen from him. When an hon. gentleman undertakes, in the face of this Legislature, to lead the public sentiment of this country on a question of deep import to the whole Province, it becomes necessary that he should place himself in a position to receive the confidence and respect of the members of the House, and the people they represent. I think if there is a gentleman in this Legislature—I will go further and say if there is a gentleman in this country, who, by his own conduct, has forfeited all claim to the respect and confidence of this House in relation to a great question of public policy, it is the hon. member who has just sat down, and I shall feel it my duty to put briefly before this House and country the grounds up-

on which I assume the responsibility of making this assertion.

The hon. member has just stated to the House that he has yet to hear the first argument in favor of Union between these Provinces of British North America. I ask this House what are they to think of a gentleman claiming the position, not of a leader of a party, but even of an honest and straight-forward representative of this legislature, who will dare to utter such a sentiment as that, when they know that here recorded in the public journals of the country is the declaration of that hon. member, as a statesman, as a member of Parliament, as a member of the Executive Council, asking the House to confirm the declaration which he had made, that so great and so many were the advantages of a Union of British North America, that the time had arrived when it was necessary to clothe the Government of the country with power to deal with the question? (Hear, hear.)

Mr. ANNAND—No, no!

Dr. TUPPER—The hon. member may deny what he likes. It is not a question of affirmation or denial. The journals under my hand have only to be opened, and there upon the page stands the indelible record that no denial will wipe away, by which the hon. member committed himself to the policy of a Union of British North America.

Mr. ANNAND—Will the hon. gentleman turn to the journals?

Dr. TUPPER—I shall turn to them for the hon. gentleman's satisfaction as he seems to have a very short memory, and show him the resolution, and the action of the government in relation to it. He, as a member of the Cabinet, actually initiated the policy of a Union of British North America—he called not only the attention of the House to the subject, but asked the several governments of British North America to hold such a Convention as would ascertain the best mode of dealing with the question. What are we to think of a gentleman who, having come forward as a member of the government and affirmed such a principle as that, and obtained the support of the House to that principle, now attempts to insult the intelligence of the people of this country by telling them, years afterwards, “that he has yet to hear the first argument in favour of a Union of British North America.”—He has professed respect for the British Government—but he has trampled down the authority of the government under his feet. I ask him to read the despatches which have emanated from the Imperial Government, and, if they are entitled to such respect, do they not contain arguments enough in favour of a Union of British North America?

I have shown you in the outset that the hon. member has treated the Legislature as devoid of ordinary intelligence when he has undertaken to say that the action to which he invited the attention of this House on a former occasion was invited dishonestly by him. Are we or are we not to suppose that the views and sentiments which he placed before the Legislature then were entirely at variance with those he actually held? If the hon. member had told us that like a weathercock he shifted with every changing breeze—that he changed his views from hour to hour, then I could feel that though his views were unworthy of respect,

yet he had not attempted to insult the intelligence of the House. The hon. member has a policy for every day in the week—if he has not a public policy of his own he is the mouth-piece of every changing wind that blows.

The hon. member has referred to a question which is at this moment engaging the attention not only of the Legislature, but of the best minds not only in this Province, but in the whole Empire, and that is, the defence of the country. He felt, in view of the prominence this question has now assumed, that it was necessary that he should show to the House how he proposed to deal with it. He says we would be exposed to simultaneous attack, and therefore Union would be of no avail, inasmuch as New Brunswick, Nova Scotia and Canada would have each to defend themselves. The Government of which he was a member, the delegates and representatives of that Government, did not state that the Union of British North America would be of no avail for the security of Nova Scotia. Is he not bound by the public record of his views, given as a member of the Government, that the citadel of Halifax was insecure without an Intercolonial Railway, which would enable Canada at the hour of need to come to the rescue of this Province? Then the hon. member must show this House that he can hold these sentiments one day and change them the next, and at the same time ask the confidence of any man that sits on these benches. (Hear, hear.)

Mr. ANNAND: I referred to the Intercolonial Railway as a valuable measure of defence.

Dr. TUPPER: I would ask the hon. member when he comes here with his story of simultaneous attack, whether 250,000 souls in New Brunswick and 380,000 in Nova Scotia are as secure from the possibility of invasion as four millions of people sustained by the mightiest Empire in the world? Is not his story of simultaneous attack then swept away? But I will turn that hon. gentleman to his own recorded declaration in another place. The *Morning Chronicle*, which has long been the property of the hon. member, was edited for years by a gentleman in the other branch of the Legislature, and it is well known that a change was suddenly made in the editorial management of that paper. It was wrested from the hands of the gentleman in question, and the sole responsibility of editorship was assumed by the hon. gentleman who has just sat down. The hon. member felt that the question of defence lay at the very threshold. On the platform, in the press, and in the House he has proposed that the Legislatures of all British North America should pass laws by which they would supply the means to render defence practicable. He has proposed that laws should be passed under which the man on whom might rest the responsibility might draw the very last man from one Province for the defence of the other. Who is there that does not know that, having propounded that policy—giving the authority to draft our people to a power in another Province over whom we had no control—then, in the same paper, he held up, as a bugbear to frighten the people against Confederation, that they would under Confederation be dragged away from their homes for the defence of Canada. When

I feel that the hon. member propounds statements that are so entirely antagonistic, I feel that it is right that I should expose him, and show the House and country how worthless are any views he may offer. I ask him, too, whether, feeling the deep importance of this question of defence, he did not propose the following mode in the pages of his journal, a year ago last January:—

"We would provide for the defence of the Empire by a general tax, equally levied by an Imperial statute all over the Empire. This might be either a tax on property, on polls, or on imports, to take precedence of all other taxes, and to be paid into the Imperial treasury. About £28,000,000 are annually required for naval and military expenditure. A property tax, if that were preferred, would raise the whole amount. But if it was thought better to collect the £28,000,000 upon imports, the commerce of the Empire would yield the whole without any portion of it feeling the burthen."

"Is there a Novascotian that would not pay his portion of this tax cheerfully, and turn out, with arms in his hands, to defend the Empire besides? Is there one who will not cheerfully pay pound for pound with the Canadians, or with his fellow subjects in any other part of the Queen's dominions? Here is a scheme of National Defence, of which a statesman need not be ashamed, and our public men could not be much better employed than in pressing it on the notice of Her Majesty's Government."

The man who has made the bold proposition, that we should pay pound for pound with those who live in Manchester and London, whose representatives in Parliament control the expenditure of this money—this man who has proposed to levy this sum of money—that is, to place a burthen upon our shoulders by an Imperial Statute, for the benefit of the Imperial Treasury—has, at the same time, in order to embarrass this great question, urged upon the people that they must reject Confederation, because they will have to pay a few cents of additional taxation. Am I not right, standing as I do on the threshold of the greatest constitutional changes,—on the threshold of a question, the rightful decision upon which, I believe, is to decide our very existence as British subjects, to call your attention to these facts, and ask you whether the hon. member does not occupy the humiliating position of having propounded, from day to day, on every feature of this subject, views as antagonistic to each other as night is from day.

The hon. member asks how is Union to help our defence? I shall give him an authority which he may treat with contempt, but I doubt if there is any man in this Legislature beside himself that will endorse the statements that he has uttered to-day. The hon. member says he is prepared to yield the most respectful deference to the opinions of Her Majesty.—Where is his respect when he tramples down such a despatch as this and tells you that he, though the originator of this great question, has not, down to this hour, heard a single argument in favor of it. The Imperial Government said on the 24th day of June, 1865:—

"You will at the same time express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one Government

In the territorial extent of Canada, and in the maritime and commercial enterprise of the Lower Provinces, Her Majesty's Government see the elements of power, which only require to be combined in order to secure for these Provinces, which shall possess them all, a place among the most considerable communities of the world. In the spirit of loyalty to the British Crown, of attachment to British connexion, and of love for British Institutions, by which all these Provinces are animated alike, Her Majesty's Government recognize the bond by which all may be combined under one Government. Such an union seems to Her Majesty's Government to recommend itself to the Province on many grounds of moral and material advantages—as giving a well-found prospect of improved administration and increased prosperity.

But there is one consideration which Her Majesty's Government feel it more especially their duty to press upon the Legislature of Nova Scotia. Looking to the determination which this country has ever exhibited to regard the defence of the colonies as a matter of Imperial concern, the Colonies must recognize a right and even acknowledge an obligation incumbent on the Home Government to urge with earnestness and just authority the measures which they consider most expedient on the part of the Colonists with a view to their own defence.

Nor can it be doubtful that the Provinces of British North America are incapable, when separate and divided from each other, of making those just and efficient preparations for national defence which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole."

I will admit, for the sake of argument, that Her Majesty's Government—composed of the greatest military and political minds in the world—which have spent millions upon millions in our defence, are ignorant upon the subject. I will admit that the hon. member's opinion is worthy of more consideration than theirs; but there is not an intelligent man in Nova Scotia to-day that will not then admit that our successful defence rests on the Union of British North America. When Her Majesty's Government have arrived at the conclusion that this most vulnerable point in the Empire is only to be placed in a position that will enable England to unite successfully with us in the defence of these Colonies by this Union—that our future security depends upon the acceptance or rejection of Union—that this is a question of Imperial concern, since the honor and integrity of the mother country are involved in the security of every portion of the Empire; when we are told all this by those who have the best right to advise us, I ask the hon. member whether he has to hear the first argument in favor of Union—whether Her Majesty's subjects on this side of the Atlantic should not be prepared to meet the views of the Parent State, and adopt such a policy as will enable her to co-operate successfully with us in measures to defend British North America.

The hon. member rose to correct me in relation to the Intercolonial Railway. He says that railway should precede the Union. What has been the past history of the Intercolonial Railway? The hon. member himself has laboured for twenty years to obtain the con-

struction of that work. Other public men of all parties have exhausted every means, going so far as to place a burthen upon our shoulders beyond the capacity of the country to bear, for the purpose of securing the railway; but all to no purpose. Every scheme melted away like the "baseless fabric of a vision," and there is not the vestige of a chance to get an Intercolonial Railway except by that means that secures Union. When the hon. member stated that the Railway which this Union will give us was essential to the security of Halifax, he only said what every man feels. Situated as we are in the presence of a gigantic power, the only security that this country can have is to be found in the fact that the invader does not trample down the rights and privileges of 330,000 people, but of four millions of freemen bound together by the closest political and commercial sympathy, and protected by the greatest nation in the world. There is not a thoughtful man in this country, whatever may be his opinion as to the advantages in industrial and commercial aspects, who will not feel that as regards our security, our immediate Union is not only desirable but absolutely necessary. I use the term IMMEDIATE UNION with a full appreciation of its significance.—His Excellency has laid on the table the Despatches in relation to the Fisheries. Is there a member in this House who does not feel what is the meaning of the silence of the British Government on the subject. The Imperial Government have been told that the territorial rights of British Americans are about to be invaded—that they have every reason to believe that the hour is approaching when our soil is to be desecrated by liberties being taken with it by foreigners. The fishermen of the United States are fitting out, and in the Senate of the county public men are coming forward and saying that the fishermen are determined to come upon our fishing grounds and asking the government to protect them by a fleet. Who is there then, that does not feel the attitude which we occupy to-day, when having implored Her Majesty's Government months ago, for the means of protecting our territory, at this hour we are unable to put before the House and country the statement that they are prepared to assume that responsibility? The Imperial Government are evidently waiting to see whether we are prepared to adopt the advice which she was bound in our interests to offer.—They have employed us time and again to combine and put ourselves in a position in which they can efficiently defend us; and they are waiting to see whether we shall respect their advice before involving Britain in a war with a great power. The hon. member for Richmond called attention to the fact, that some 400,000 desperate men, united by the deepest hatred of British institutions, and assisted by the sympathy of a powerful people, stand in a position to do everything that they can to foster and create a collision between the United States and Great Britain, if they do not attempt an invasion themselves. It is no secret that that organization have taken measures to fill the fishing vessels with men who are determined to provoke collision between the two countries. In view of circumstances like these, is it not time for every loyal subject to lay aside all party and personal considerations and unite

for the purpose of preserving the rights and liberties which we now enjoy?

The hon. member says that the Delegates are bound to the Quebec scheme. I shall be prepared to answer at an early day the question put by the hon. member for Richmond, and I am only surprised that the hon. gentleman (Mr. Annand) should not have awaited that answer before addressing the house as he has to-day. I tell the hon. member that this was the obligation that rested upon every gentleman that was engaged in that Quebec Conference; it was by every constitutional and honorable means in his power to endeavor to bring about the great results that that scheme proposed to accomplish. I ask him what is the position of this question to-day? Has it not changed in its aspect since the House was called together at this present session? Last year an appeal was made to the people of New Brunswick, and an overwhelming majority was returned opposed to the Quebec scheme; but what has taken place since? No one can believe that so great a change has suddenly taken place as we know has actually occurred. The fact is this: the question was referred to the people at the polls; but is there a man here who believes that the election was decided squarely and fairly on the question of Union? No, the Government had been in power for ten years; they had drawn upon themselves that unpopularity which all Governments must expect to encounter, conduct the public affairs as they may. The opponents of Confederation, combined with the great body of those who were determined at all hazards to have a change of government, and the result was that an immense majority was apparently returned against Union with Canada. What has occurred since? This Government, thus brought into power by the action of the people at the polls, have modified their opinions on Confederation through the force of circumstances, and influenced by the legitimate power and influence of the British Government, have come forward, and in the Speech at the opening of the session propounded a policy of Union of British North America. It is not a matter of doubt that whether a dissolution takes place or not, or whatever may be the result of the vote of no-confidence that has been moved, and on which a discussion is proceeding, New Brunswick is prepared with an unanimity that cannot fail to produce the deepest impression on the mind of every man, to come forward and accept the policy of the British Government, and accomplish a Union of British North America.

The hon. member took occasion to outline a scheme. He has entirely abandoned his policy of yesterday. In the journal which he has seized for the purpose of writing down Confederation, he has had as many policies on this as he has in relation to everything else, and it is only the other day that he took the attitude that he and the opponents of Confederation would not propound any scheme whatever. Let me invite the attention of the House to the paragraph from his paper which was read by the hon. member for Inverness, and ask whether he (Mr. Annand) has yet to hear the first argument in favor of a Union of British North America. On the 24th January, 1866, he says:

"And what then? Are we indifferent to the

future of British America? Have we arrived at the conclusion that nothing should be done? That we can remain forever in our present condition? On the contrary, while we claim that these Colonies, at all events the Maritime Provinces, never can be bettered by any change in their political situation, we feel that they cannot, in the very nature of things, always continue as they are. They may, it is true, go on for years, and enjoy their present prosperity, but after all the time must come when they will be required to form new relations, whether with each other and the Mother Country will largely depend upon the exercise of great tact, wisdom, and forethought on the part both of British and Colonial statesmen."

"But it is because we feel that we must, sooner or later, make our choice between the mother country and the United States, that we desire to see this question of Colonial Union, now that it is fresh in the minds of the people, set at rest; it is because we earnestly and fervently pray that our connexion with England, instead of being weakened, shall be strengthened, that we repeat the opinion uttered two months ago, that, with the sanction of the Crown, a new Convention shall be held for the purpose of considering the future of British America—what are to be the relations of these Provinces with each other, what their relations with the mother country, and what guarantees will be required to secure the unity of all."

In the face of this declaration made in January last—that the time had come when the people of this colony had to choose between connection with the United States of British North America or connection with Great Britain—he now undertakes to tell you that he has yet to hear the first argument in favor of Union.

I ask the hon. member whether leading minds of these Provinces have not assembled already to confer on this question of Union.

MR. ANNAND—No!

Dr. TUPPER—Did not the Government act in good faith when they undertook to deal with the question, as one entirely apart from party politics? When they invited Mr. Howe, Mr. Anderson, Mr. Locke, Mr. Archibald, and Mr. McCully to combine with them? If there were gentlemen in either end of the Legislature that stood in more deep and strong antagonism to the present Government than others, they were the two gentlemen who co-operated with us on this great question. The hon. member may say we should have selected him. Why, he would not have reached Windsor before he would change his opinion half a dozen times.—(Hear, hear.) Why he would have signed his name to a declaration of his opinions, and repudiated it two months after. All that could be done in the interests of the people was done, and although the Quebec scheme may not meet with general concurrence, yet I believe, that the interests of the Maritime Provinces were pressed to the last point to which they could be carried in an Intercolonial Conference, and the only means by which an improvement could be obtained would be by some measure that would bring an independent arbitration to bear. The hon. member has expressed great respect for the Imperial Government, and yet he degrades Her Majesty's Ministers by saying that men recognized as the most honorable and able in the civilized world—men of

he most thorough education, calm judgment, and inflexible integrity—would be mere children in the hands of the Canadian Delegates. He has placed the statesmen of the Maritime Provinces in a position so contemptible that if he is to be believed it would be better that the people should throw themselves upon the generosity and fairness of Her Majesty's Government, than send Delegates who will be so insignificant in the presence of three or four Canadians, and unable to obtain justice at the hands of the most exalted and disinterested tribunal in the world.

The hon. member says he is against Union Of what use will he then be in a Conference? His only object would then be to obstruct and defeat that which is the desire of the overwhelming body of the people to-day—to carry out the wishes of Her Majesty's Government. The hon. member holds a Conference in British America, and then carries us across the water, and then sails back again. Having got the Conference to unite in a common plan—and it would take ninety-nine years to effect it if the honorable member had his own way—and having obtained the acquiescence of Her Majesty's Government, he would bring it back for an appeal to the people. I do not intend to say much just now on this point. I have most unswerving confidence in the patriotism and intelligence of the people of Nova Scotia and of British North America, but I tell the hon. member as much clamour as he has raised, there is not a man in this House that knows better than himself how impossible it is to get a direct verdict on a question like this. The facts in connection with New Brunswick prove that they did not get a verdict on Confederation pure and simple. He knows right well that let any government, I care not of what party, even the remarkable government of which he was a member, go to the country and instead of being able to obtain an issue on any measure, however loudly they may put it, they have to face the opposition of every man that wishes to displace them. They have to meet many of their own former friends and supporters whose hostility they have provoked in some particular question. Is there any one here who does not know that were this government to appeal to the people on the question of Confederation to-morrow so far from their getting an answer on that question they would have to meet first, a formidable combination for the purpose of placing the gentlemen opposite in power, and again, those who were supporters of the Administration—and thousands there are of able and influential supporters so situated—entirely at variance with them: on the great question of Assessment for educational purposes. — Therefore I would defy you, in that way to get a verdict, but I am not going into that question now. No gentleman who was here in the first session of the House (1864) would dare to say that it is unconstitutional for the Parliament to change the constitution. They recorded a resolution by unanimous consent on the journals of this Legislature which authorized the charge of our Constitution without any reference to the people whatever. I moved the resolution myself; it authorized the Lieutenant-Governor of this Province, in conjunction with the Govern-

ments of the other provinces, to appoint Delegates for the purpose of devising a scheme of Legislative Union for the Maritime Colonies. There is not a man who does not know that this proposition was for a more extreme change in the constitution of this country than the one now proposed. The Quebec scheme proposes to leave to Nova Scotia her own Government and Parliament as far as local questions are concerned; and to have a General Parliament with general powers in reference to matters common to all the Provinces; but the resolution of 1864 was to surrender the entire constitution of the country, and take away the seat of Government; in all probability, from Nova Scotia and place it in New Brunswick, or wherever it might be agreed upon. It provided that scheme of Legislative Union should go into operation and become law—not when it had received the sanction of the people—but the consent of the Provincial Legislatures, and Her Majesty's approval. With that resolution recorded on our journals is there a man who can presume to rise here and say that it is unconstitutional for the Parliament of the country to change the constitution without an appeal to the people.

Mr. McLELAN—The hon. gentlemen knows that the vote was not taken on the proviso that the resolution should not be entered "unanimously" in the journals.

Dr. TUPPER. Every gentleman who did not record his name against the resolution is committed clearly to the proposition which it contains. The hon. member for Richmond (Mr. Miller) took exception to allowing the resolution to be entered "unanimously," but it was on different ground. He was not in favor of the proposed union—he preferred the larger one; but he did not take exception to the resolution as embodying an unconstitutional principle.

Mr. McLELAN—I was opposed to the resolution, but I did not explain it at the time.

Dr. TUPPER—Then the hon. member is rather late. What will his constituents think of a member who said nothing on an important constitutional question, and three years after comes forward and says he was opposed to it?

The hon. member for East Halifax went on to say that when he was in England he saw there existed a great desire to get rid of these colonies. I was also in England at the same time the hon. member was there. He will admit that I had as many opportunities as he of meeting, and ascertaining the opinions of the statesmen, and people of England, from the present distinguished Premier down to the humblest person. I am proud to say, that if that hon. member came away with the belief that there was a general desire on the part of the government and the press, and leading men among the people, that England should part with these colonies, he brought back with him an impression totally at variance with those that other gentlemen, either from this or the adjoining Province, received during their visit. There is no question that there is a party in the House of Commons, familiarly known as the Cobden and Bright party,

sustained by such *doctrinaries* as Goldwin Smith' who do not hesitate to say that their policy is to get rid of these Colonies, and I will tell you who strengthen their hands—feeble as they were shewn to be when they were struck down by the independent action of the Palmerston Ministry, who unhesitatingly declared that this was not the policy of the British government and people. It is the hon. gentleman himself who is now giving weight to that party. It is the press and people of this country who do not hesitate to say that they are prepared to treat with contempt and derision the parental advice of the Ministers of England, given for the benefit of the colonies themselves. The only danger is, if these gentlemen are powerful enough to obstruct the union of the Provinces, and leave it doubtful to the British Parliament whether we do or do not desire to have connection with the Crown of the mother country.

The hon. member for Richmond called attention to the significant fact that the New York *Herald* stated that the object of the Fenian organization was to prevent a Union of British North America. You find that journal inspired by the utmost contempt of British institutions, holding the Fenian organization up to the support of the people of the United States and telling them that the opponents of Confederation deserve their confidence because their policy is a United States policy, and that it is to weaken the connection between the Crown and the Colonies. Be this as it may, it is quite apparent that the difficulties that have been thrown in the way of the policy approved and urged upon us by the British government have led the press of the United States to suppose that the reason why these Colonies have refused to accept this policy is because they prefer Annexation to the American Republic to retaining the present connection with the mother country. I say therefore that the hon. member never misrepresented the public more grossly than when he declared that there is anything like a pervading desire in Great Britain to get rid of these Colonies. Go to the Ministry, the Parliament, and the Press—every thing by which the public sentiment can be gauged—and you will find that it is in favour of keeping up the connection and preventing the dignity of the Crown being tarnished in the slightest degree.

Where is the man in this House or country that will sustain the policy which he propounds in opposition to this proposed union. The question of representation in the Imperial Parliament was propounded on the floors of this House with an ability and an eloquence such as the hon. member himself knows he has not the slightest pretension to. He knows it was put forth in the most attractive manner that it was possible to put it, but it fell still-born upon the intelligent minds of this country, and never received the slightest favour in Nova Scotia or any other part of British North America. He knows it was only a few years ago that the same eloquent speeches were reprinted and put before the public of England, and down

to the present hour not a man, with the slightest pretension to statesmanship, has been disposed to give it a word of encouragement. I ask, then, in the presence of the grave emergency,—of the dangers that threaten British America—when everything we hold dear is imperilled, is this the time to revive a project which has never obtained any favour among the people of this country? This same gentleman who considers that 19 of the ablest men that this Province can send to Ottawa would be powerless (though they would constitute a number greater than is found necessary to decide the fate of parties in England), would be satisfied with two votes in a Parliament of 650 members. Suppose we had such a representation, I ask you is it for that Nova Scotians would be prepared to place the enormous and oppressive taxation upon the shoulders that would be required to sustain the army and navy of England, and the expenses of any wars in which the mother country might be engaged?

When on a former occasion I confronted the hon. member with the statement that the Reciprocity Treaty was about to be abrogated, the country will remember that he entertained no such fears. Well the hon. member has proved a false prophet, for the treaty has been abrogated. The hon. member now tells you that the United States do not want these Provinces. I do not require to labour that question. He tells you himself that the United States, if they could grasp this Province, would become the first Naval Power in the world—able to dictate terms to the world. Does he think that eludes the scrutiny of the keenest statesmen to be found in that country—whose policy is to grasp where they can gain a foothold and extend their dominion. Therefore I ask the hon. member if he has not himself shown you that there is sufficient inducement for the United States to obtain these Colonies; and I do not require to take up your time with showing that the only means we have of resisting their encroachments is Union. Therefore let every friend of British institutions, every loyal subject, every man who is not willing to see our rights and privileges torn from us, combine in this great work of elevating these comparatively insignificant Provinces into a higher position in the eyes of America and of perpetuating those institutions which are essential to our happiness and prosperity.

I shall refer, before I close, to a few remarks which the hon. member has made in another place. He has taken a liberty with this house, and proclaimed to the people that there are traitors within its walls—that there are men who have treasonable designs upon the rights and liberties of the country. He would hold up gentlemen to the execration of the people by one inflammatory publication after the other. I am now going to make a statement which otherwise I would not feel called upon to make. The hon. member for Richmond, in the exercise of his privileges as an independent member of this house, put a question across the floor to the government in regard to one of the most impor-

tant subject that was ever before the people. I answered as I best could in the position in which I was placed. I listened to the hon. member as he spoke, and although I was unable to agree with him in his opinions respecting one of my pet children, the Quebec scheme, I felt there was a cogency of argument, a reasonableness and solidity in the case as presented to the house, that could not but make a deep impression on the people of this country. The hon. member gave in detail every thought and feeling which he stated has weighed upon his own mind, and which had brought him to his conclusions. I am not his judge; I know not what may animate him; I am quite free to admit that a gentleman may profess one thing and may be influenced by considerations very different to those which he portrays to the house; I can easily suppose that possible after the exhibition we have had to day; but justice to the hon. member for Richmond compels me notwithstanding the strong antagonism that has existed between us, to say here solemnly and deliberately that if he was influenced by any consideration other than that he stated boldly to the House, it was without my knowledge. If he was looking to place—to a position in any delegation that might take place hereafter, he has not intimidated it to me. I do not know of it; I am free to assert that he has never exchanged a single word with me to that effect, nor has he down to the present hour. I feel after the manner in which that hon. gentleman has been assailed, it is due to this House that I should make this statement. But from whom does this charge of treason come? Who is the first man to suspect dishonesty in his fellow? The man who is himself dishonest! Who is capable of giving the fullest rein to the basest suspicions? The man whose own heart tells him that he could be tempted! Whoever there is in this House in a position to accuse any of his fellow men of being a traitor, it is not the hon. member for East Halifax. I tell him at this moment the public sentiment of this town, as well as of this House, is outraged by the traitorous declaration made by that hon. member in the open streets in the presence ———

Mr. STEWART CAMPBELL.—Order, order.

Dr. TUPPER.—Was it a violation of the orders of this House when the hon. member rose here to day and insinuated that the hon. member for Richmond had been bribed?

Mr. ANNAND.—I never said on the floors of this House that an hon. member had been the subject of a base bribe.

Dr. TUPPER.—Nobody could put any other interpretation on the statement he made. I say if there is an hon. member in this House who is not in a position to charge any man with disloyalty, it is the hon. member. I tell him more; he is known to have reflected the opinions of other gentlemen—to be in close alliance with those who have occupied positions of public trust—who have recently returned from the United States; and the most intelligent minds in this country are deeply excited at the present moment by the fact that these persons have

openly declared that it is impossible for Great Britain to defend us. They feel that if they can indoctrinate the public mind with the sentiment that the safety of these Provinces lies in transferring their allegiance to the United States, the loyalty of our people will be paralyzed by despair. Is it for these men, for a Press which reflects their opinions, to accuse any hon. member of being a traitor? Sir the loyal spirit of my countrymen will repel such base and unmanly fears, and united with each other find a safe position for these Provinces under the aegis of the British Crown.

Mr. ANNAND.—After the lengthy reply of the hon. Provincial Secretary, in which he exhibited a good deal of temper unprovoked on my part, it will be necessary for me to make a few remarks. That hon. gentleman has referred to an organization in this city with traitorous intent.

Dr. TUPPER.—I said no such thing; I referred to traitorous language being used on the streets.

Mr. ANNAND.—Gentlemen, he said, of high position were endeavoring to weaken the allegiance of this people to the mother country. I ask the hon. member in view of the dangers that he says threatens the country—in the presence of the existing emergency when men of all parties, in all parts of the country are arming to resist the common foe, if it is right for him to come forward to make these rash statements. The people have become so exasperated at the idea of their privileges being swept away, that they are almost ready to come into conflict with those who would deprive them of their rights. Is this, then, the time to excite the people, when you require moderation and calmness? The hon. member says that the town has been excited by observations made on the street. In the first place, I did not believe that any hon. member, much less the hon. Provincial Secretary, could allow himself for a single moment to bring up street rumours to this house. But what are the facts? An old and esteemed friend of my own—who differs from me on this question—met me at the corner of the street, and a good deal excited uttered some very extravagant opinions—that the people should be coerced into Confederation; and I, in the spirit of our Herodotus Herod uttered expressions that may be construed into disloyalty, but which passed away with the moment they were uttered. I say the expression was a hasty one—it was drawn forth by equally hasty expressions; and I may add I regret that it was ever made.

The hon. gentleman referred to the inconsistency of my position. He charged me with being a weather cock. I am prepared to say that in the presence of this great question my own views, like those of many others, have been considerably modified. The views that I entertain to day may be modified as those of the Provincial Secretary himself to-morrow, before any decision on this question is arrived at. But I challenge him, in the presence of his House and country, to read from any resolu-

tion passed in the House under a former Government, or from any despatch emanating from the late Government, of which I was a member, that commits me to Union with Canada. I might refer to these papers, but I shall content myself at present with challenging the hon. member to show that there was a member on either side of the House who was committed to any particular scheme of Union, Legislative or Federal, by the resolution to which he referred. What was the object of the resolution at that time? It proposed a delegation should be held with representatives of the several provinces to consider the question, with a view of its being set at rest. It was considered, but so little noticed was it by the delegates at Quebec that a record was not even kept of the proceedings relative thereto. It was set at rest—no one being bound by any resolution.

The hon. gentleman has carried us to New Brunswick and talked of the change of sentiment in that colony. I have to learn that the people of that province are in favour of Confederation—or that they are prepared to unite on any terms with Canada. I believe that they are not. My view of the position is this—that the Government being composed of antagonistic elements does not unite the confidence of the people; but as respects the Quebec scheme the people, I believe, are as much opposed to it as ever before. But let us pass from New Brunswick to our own Province, and what do we see. What have we had in this country since the question came up. We have had three elections. Has any one of them decided in favour of Confederation? of the Quebec or any other scheme? Last before me the hon. member for Annapolis (Mr. Ray) who occupies the seat filled by the late leader of the Government, was he returned to go for the scheme? Nay, was he not elected to oppose it? Again, there is my friend Mr. Hebb, from Lunenburg, who, in spite of the Provincial Secretary's exertions, was returned by a two-third majority against Confederation. Again, in the county of Yarmouth the government could not get a man to run for them—the feeling there is almost unanimous against Confederation. Every constituency that has been opened since the Quebec scheme was propounded, has decided against it, and with the full knowledge that nine tenths of the electors of this Province are opposed to Union, we are invited to change the constitution of the country without an appeal to the people. I am willing to assume that we may be compelled by circumstances to accept some scheme of union, and my object in such an event is not to thwart any reasonable wishes that Her Majesty's Government may have on the subject, but to point out the best mode of arriving at a result that will be less objectionable to the people of the Province than the Quebec scheme. But this is not the time; the question is not sufficiently understood, and the people are not prepared for its acceptance.

The hon. member has referred to the Intercolonial Railway. I have under my hand the speeches made by the Canadian ministers last

year in discussing this question. Do we not all know that whilst Nova Scotia and New Brunswick desired the Intercolonial Railway, and were ready to fulfil their part of the obligation, the Canadians on two occasions shipwrecked the great scheme. These gentlemen would now give us an Intercolonial Railway, provided that they can couple it with Confederation? Does it follow that a union of the Provinces is necessary before the Railway can be built? We know it is not.

We know that the sense of the people is against all union with Canada. We all know the character of the public men that have been dominant in that country for very many years. We know that the money of the country has been corruptly squandered by hundreds of thousands—that they have proved themselves unworthy of all confidence by their action in respect to the Intercolonial Railway. The hon. gentleman talks about traitors, but let me turn your attention to the character of some of his Canadian friends, members of the government in that province. We find one of the leading spirits an expatriated rebel; another, the Attorney General, had been found in rebellion with arms in his hands; the Minister of Finance was at one time openly charged with Annexation proclivities; and another gentleman is said to be looking towards Washington. And these are the loyal men who are to govern this country in the event of Confederation! With the representation this Province will have, with the tremendous influence that the Canadians will exercise—I would just as soon go into the British Parliament with only two Representatives. There the people of Nova Scotia might expect to obtain some justice, for their representatives would be speaking to a body of noble men, animated by a high sense of honor and justice; while at Ottawa you would be speaking to corrupt men, some of whose arms have, it is said, been plunged up to their elbows in the public chest.

The hon. member said that both sides of this house were represented at the Quebec Convention. I think differently. The Liberal and Conservative sides were represented, but not the two great parties which on this great question divide the people of this country. My desire is, in the event of a new Convention, not to see this house represented as to its political proclivities, but in respect to the position of the question of Confederation in this province. Will the 'ablest statesmen' of British North America say that this question is not now better understood than when they met at Quebec? Will they say that their ability is so great that they were able in the midst of exhaustive festivities, to have a perfect constitution for these Provinces? They might give themselves that credit, but the people of this country do not. This question should not be dealt with hastily. There is no necessity why his scheme should be forced upon the people; if it is to come, let it come quietly; let the public mind be educated up to it; but if you do not wish to make this country

a second Ireland, to bring these Provinces into inextricable troubles, do not force Union upon them. I believe the people might be educated to accept a scheme of Union if it was just. I believe, influenced by a desire to meet the wishes of the British government, they are ready to make large sacrifices; but to force the measure upon them without their consent would be a grave and fatal mistake. It would be fatal to the success of that Union which gentlemen are so anxious to bring about. We know how the Irish Union was accomplished, but I trust no such influences will prevail in this country. I can suppose a majority of this House prepared to accept Union, but unless they have the people behind them, any measure they might pass would not be worth the paper on which it was written. You must carry with you the sentiment of the people. Even if you are entirely wrong on the question you should defer to their prejudice and give them time to consider the subject calmly and deliberately, but not to force it upon them at all hazards.

Hon. ATTORNEY GENERAL—I am curious to know why the hon. member has occupied so much time to-day. Why should he wish to define his position?

Mr. ANNAND.—The hon. member for Inverness made especial reference to me the other day.

Hon. ATTORNEY GENERAL—Why could not the hon. gentleman wait until the question came up legitimately? Why all this anxiety on his part? If I know anything about the hon. member his position was defined before, or it remains undefined now. He did not utter a single new idea that I have not seen in his own paper time and again. I cannot understand his course unless he feels that his position is untenable. I will only say at present that it looks to me very much as if the hon. gentleman all along had this object in view: only wait, says he, until three or four of us who have been opposing Union can be convinced by some means or other, then we are all right. That is the substance of the hon. member's remarks. If two or three gentlemen could only be induced to assist the friends of Union, then there will be no difficulty about a reference to the people.

MISCELLANEOUS.

Mr. C. J. CAMPBELL moved the second reading of the bill in reference to Church property, but consented to withdraw the motion for the present, at the urgent request of Mr. Archibald, who wished to wait the presence of Mr. Blanchard.

Mr. LOWLEY presented a petition in favor of assessment for the support of schools.

Mr. ANNAND presented a petition on the subject of a Way Office.

Hon. Mr. SHANNON brought in a bill to amend the Act to incorporate the Governors of Kings' College, Windsor.

The house then adjourned.

FRIDAY, April 6.

The house met at 3 o'clock.

PETITIONS AND BILLS.

Mr. HERR presented a petition from Chester, requesting that the Court of Sessions remain as at present.

Mr. JOHN CAMPBELL presented a petition from the Liverpool Bridge Company, in reference to their charter.

Mr. PRYOR, as a Militia Officer, introduced a bill to amend the existing Militia Law.

Also a bill to incorporate the trustees of Zion Church, Halifax.

The house then went into Committee on bills, and passed the School Bill.

THE FISHERIES.

Mr. ROSS called attention to the unprotected state of the Fisheries on the east coast of Cape Breton. He said that the extent of the coast was about one hundred miles. On the 20th of last month, as he had been informed, the fishing-grounds had been visited by American fishermen. He thought that every exertion ought to be made to ensure the protection of these grounds from intrusion.

Hon. PROV. SECY. expressed gratification at having received the information which had been given.

THE EDUCATIONAL BILL.

On the motion for the 3d reading of the bill for the better encouragement of education, Mr. S. CAMPBELL said he felt it his duty to protest against the clause imposing a tax of 30 cents a head on the inhabitants of the various counties. He moved that the bill be re-committed, for the purpose of substituting 20 for 30 cents.

Hon. PROV. SECY. said that the adoption of such a motion would seriously cripple the measure.

Mr. S. McDONNELL seconded Mr. Campbell's motion. He expressed himself in favour of a reduction of the tax, and said that the bill of last year had given general satisfaction, and instead of going further with a policy which had aroused hostility to the cause of Education, he thought a different course should be pursued. This measure had been very ingeniously placed before the house by the Committee, but no attempt should be made to force any obnoxious provisions upon the people. He admitted that the State should take charge of the education of its people so far as to give to every child instruction in reading and writing, but the operation of the law was such as to force a man to give to his neighbour's children a first-class education sufficient to qualify them for any of the learned professions.—The deficiency caused by the proposed reduction could be made up by an additional grant from the Treasury.

Mr. JOST expressed himself opposed to the clause. He had not voted against it previously, being under the impression that some modification would be made.

Mr. TOBIN remarked that the deficiency caused by the change proposed would have to be made up by sectional assessment.

Mr. McDONNELL replied that the provincial grant could be increased.

Hon. PROV. SECY. said that the bill had gone

as far as it was possible to go so far as the Provincial grant was concerned.

Mr. McDONNELL said that an indirect tax would be better than a direct assessment, such as that proposed by the bill.

Mr. HEBB said that after listening carefully to the discussion, he had come to the conclusion that it would be a good thing if the bill were not only crippled but thrown out. He concurred in the remarks made in reference to the operation of the bill. There were three classes whose interests should be considered—the rich, the poor, and the middling class. Among the latter were the labouring classes, who were the bone and sinew of the country. The government seemed determined to press the bill, notwithstanding that three fourths of the country were opposed to it. The Pro. Secy., he said, had remarked that the indirect tax would be an onerous imposition. He would presently show that the tax imposed by the bill was exceedingly onerous.—The hon. member for Halifax, Mr. Tobin, had referred to the fishing interests—the fishermen were a class of whom no representative need be ashamed. At the present time they were preparing to leave their homes in pursuit of their calling, they would return with large quantities of fish, and they contributed largely to the revenue. What was the operation of the bill upon this class of persons? They had to take with them on their expeditions their little sons, and the children who remained behind were required to assist at home, and could not be sent to school; notwithstanding this, the tax-gatherer would regularly come round and levy upon his property for the school-rates. The same thing occurred with the lumberman, whose property was levied upon after the expenditure of his toil and labor. The farmer also, who desired to improve his property, required the assistance of his sons in the field, while his neighbor, who cared nothing about the condition of his farm, could afford to keep his children in idleness and to educate them at the expense of others. It should be remembered that gentlemen composing the Legislature were public servants, paid to enact such laws as would be agreeable to the people. If they failed to make such laws they might be treated like the traveller who was turned out of the inn for making too free with what was set before him. Attempts had been made to adopt the system of compulsory assessment in reference to church support, but these had completely failed. The policy hitherto adopted was like that of a man who wore shoes an inch too short for him when he could get a pair of the proper size for the same price. These were the reasons why he advocated indirect taxation for the support of schools, by which the burden became so light as scarcely to be felt. Many persons in the country lived upon property for which they had to pay largely in the way of interest to wealthy individuals, and parties found it difficult already to meet the charges for poor and county and church rates, statute labor, &c., and the school tax added to these became exceedingly onerous. When such a principle as the bill contained was adopted, it could no longer be said that this was a

free country. His colleague having remarked that the state of Education was greatly improved in Lunenburg county, under the operation of the existing law, he would say that in the town of Lunenburg there was now the best school that had ever existed there, but it had been organized in anticipation of the tax not yet collected.—Outside of the town one half the school-houses were shut up, while in other parts schools were carried on by female teachers. He was astonished to hear his colleague, who, a few weeks ago had told the people that he, Mr. Hebb, would be a disgrace to him, if elected, undertaking to make the statement that the schools had prospered under the new law. He thought that if the Government would offer to make a reasonable grant to each county that would raise a certain sum for educational purposes, the people would busily engage themselves in raising the requisite amount, but he was strongly opposed to the present compulsory system. The instructors of the children of the country should be there;—the mother, the school-teacher, and the minister,—the latter should be the school-inspector. To the existing law he believed that three fourths of the people were opposed, and by the people he would stand or fall.

The amendment was carried, 22 to 19. For Messrs. Heffernan, Hatfield, Townsend, Balcarran, Bill, Miller, Jno. Campbell, Jost, McDonnell, Locke, S. Campbell, Blackwood, McLellan, Ross, Robicheau, Robertson, Hebb, Moore, C. Campbell, Ray, Coffin, Smith.

Against: Messrs. Shannon, Lawrence, Fryor, Killam, Allison, Whitman, Hill, Kaulback, Jas. Fraser, Bourinot, Longley, Tobin, Donkin, Pro. Sec. McKinnon, Brown, Gowie, Archibald, Atty. Gen.

The house then went into Committee.

Hon. ATTY. GEN. remarked that the indirect tax was the dearest that a man ever paid. The result of the amendment would be to impose an additional tax upon the school sections. If he were shivering for his position, and looked only to the unpopularity of the measure, he might vote as some gentlemen had voted, but the law was becoming popular, and complaints would cease, if they were not continually being stirred up.

Mr. TOWNSEND said he had voted for the amendment believing sectional assessment to be the true principle, and the one which was best suited for the country. The great fault in the educational legislation appeared to him to be that no one law was tried long enough. The district he lived in had raised £700, and would have to raise three or four hundred pounds more. He desired to see the schools of the country brought up to the proper standard.

Mr. ARCHIBALD said that the effect of the amendment would be to burden the poorer sections and prevent them receiving the advantage of a school.

Mr. COLIN CAMPBELL urged the inequality of the present system of county assessment.

Mr. S. CAMPBELL again stated his objections to direct assessment and expressed his wish to relieve the people as far as practicable.

Mr. PRYOR opposed the amendment on behalf of the poor sections of his county.

Mr. KAULBACK objected to sectional assessment, and went on to say that his colleague (Mr. Hebb) had been returned by pandering to the least intelligent of his constituents, and yet had only received the votes of a minority of the people.

Mr. PARKER was in favor of county taxation, and objected to taxing the poor sections more than they could bear.

Mr. COWIE opposed the amendment believing that 20 cents would not suffice to give the poor sections the education they require.

Mr. TOBIN alluded to the thorough consideration the bill had received at the hands of the committee, and expressed his opinion that it would be found as just as any that could be devised.

Mr. McDONNELL said that he believed that the bill was founded upon injustice to the people, and expressed his regret that it was before the House. He thought it would have been better if the present law had been allowed to work itself out a little longer.

Mr. McLELAN did not believe the proposed change would render the bill inoperative.

On division, the motion to reduce the 30 to 20 cents was lost.

The Committee adjourned, and reported. Mr. S. Campbell said he would defer any further motion until the third reading of the bill. Mr. Bill made the same statement.

Hon. Mr. McFARLANE introduced a bill to amend chap. 107, R. S. of Town Officers.

Mr. PRYOR introduced an act to incorporate the North Sydney Marine Railway Company.

The Prov. SMC laid on the table a statement asked for, shewing that the revenue derived from Customs by the province for the quarter up to January 1st, 1866, was \$324,374.12; that the amount collected in Halifax for the quarter ending on 31st March is \$234,082.25, or an increase of \$120,829.92 over the same period of 1865.

Mr. BILL asked the Government for returns relative to Commissioners of Schools for the county of Kings.

The House then went into Committee, and passed the bill to incorporate the R. C. Mission at Arichat; to authorize the sale of the old school house at Annapolis; to incorporate the Anconi Coal Mining Company; to incorporate the trustees of the Western Baptists Infirmary Ministers' Fund.

Mr. ARCHIBALD reported from the Committee on Law Amendments against the application of certain parties to establish a new telegraph line in this Province.

The House then adjourned until Monday.

MONDAY, April 9, 1865.

The House met at three o'clock.

PETITIONS, BILLS, ETC.

Mr. HEBB presented four petitions from Lunenburg County against Confederation.

Mr. RAY presented a petition from Annapolis County against Confederation.

Mr. ROSS presented four petitions, signed by 144 inhabitants of Victoria County against Confederation.

Hon. ATTORNEY GENERAL introduced a bill to postpone for two weeks the approaching sittings of the Supreme Court at Halifax.

TELEGRAPH COMPANY.

Mr. ARCHIBALD moved the adoption of the Report previously laid on the table on the bill to incorporate a new Telegraph Company. He said that the information placed before the Committee shewed that the receipts of the present line in the Province did not pay expenses, but that the cost of maintaining communication was met by a contribution of \$10,000 received for messages beyond the border. The new Company were not in a position to promise that their line would be carried beyond the border, so that by granting a charter the existing arrangements would be interfered with and no relief from the monopoly be obtained. A purchase of the lines by the new Company would only transfer that monopoly. The increase in the fares had been consequent on the financial condition of the States, and the Committee had urged a reduction. The Associated Press, the Committee had been informed, did not possess any exclusive priority in the transmission of messages; but one very objectionable circumstance was that one of the agents of that body was in the employ of the Company. The Report which had been presented was adverse to the claim of exclusive right set up on behalf of the present Company, and recommended that the bill to incorporate the parties applying for a charter be deferred for three months.

Mr. MILLER said that he had not signed the Report being unwilling to go as far as other members of the Committee had gone. He had felt from the outset that a monstrous monopoly existed in connection with telegraphic communication which it was undesirable to continue. He felt disposed to allow any company to come in and compete on fair terms; several offers were made by those seeking a charter, which were well calculated to guard the interests involved. He was glad that such suggestions had been thrown out by the committee as would probably remedy some of the evils complained of.

Hon. ATTY. GENERAL said he failed to see that any advantage would be secured by calling into existence a rival company, while injury would be done to the present company, which had faithfully fulfilled all its pledges.—The outlying portions of the province were greatly benefited by the existing regulations, and the Company had strong equitable claims on the Legislature.

PETITIONS.

Mr. BALGAM presented four petitions from East Halifax against Confederation.

Mr. BLANCHARD presented a petition from the Postmaster of Plaster Cove for an increase of salary.

UNITED PRESBYTERIAN CHURCH BILL.

Mr. C. J. CAMPBELL moved the second reading of the bill introduced by him in reference to the Presbyterian Church of the Lower Provinces. After being called upon by Mr. Blanchard to state his reasons for introducing the bill he said, that in 1863 the House took the responsibility of passing the act of union which

had the effect of taking from some members of the Church their rights in connection with cemeteries and churches in which they had long been interested, and on which they had expended money. That act passed with the remonstrance of the present Attorney General and Provincial Secretary, but the hon. member for Colchester having, with his usual smoothness of countenance, persuaded the House that he was actuated by motives of justice succeeded in passing the measure by the assistance of the majority at his command. Many persons with whom he, Mr. C. had conversed refused to believe that that gentleman, with his pretensions to religion, could commit such a wrong. The Attorney General had said, on a former occasion, that the present act did not afford protection to the rights of minorities—that was what we complained of, and it had been truly said, that such an act was unconstitutional. He felt diffident in arguing the question against gentlemen of such abilities as those who opposed him, but he felt that his case was just, and he would go into a few particulars to explain the position of affairs. When Cape Breton was settled thirty or forty years ago, the majority of the laymen were connected with the established Church of Scotland and the congregations built meeting houses and established cemeteries in various places, but upon a division of the church, the majority of the clergy joined the seceding body, and the congregations continued under their charge. Matters thus went on for a considerable time until some one proposed to get the Churches incorporated under the name of the Free Church. This was done without, in many cases, any ulterior object. Before 1860, when the Free Church had possession of all the Churches—the Antiburgher Church sent down Missionaries to Cape Breton, when a quarrel ensued which lasted for several years. Suddenly, and without consulting the congregations, the clergy met and entered into a union. The people laughed at it, in many places, but the bill for the union passed the House. He regarded this as the greatest blot in the history of Nova Scotia, excepting the expulsion of the Acadians. The people were in many instances deprived of their churches and cemeteries. In the next instance, when the census was being taken, the Free Church was ignored. There was a place in the printed schedules for every denomination, even for the infidel and atheist but none for the Free Churchman. Some put themselves down as Presbyterians, some under other names, and they were dispersed like the Jews.

In 1864 petitions were sent in for the repeal of the law, but the bill introduced not being in accordance with his views it did not come to the vote. Last year there were but six petitioners, this year there were 200 or 300 and when the people came to realise the wrong that had been done there would be thousands asking redress. He had previously expressed the opinion that the union was for political purposes—he entertained that opinion still, and read an extract from a letter of Rev. Mr. Murray appearing in the *Presbyterian Witness*, which strongly condemned the withholding of the grant for the congregation at Baddeck, in proof of the assertion. That grant he said was of a lot on which stood a church built out

of the funds of the Church of Scotland, and in 1857 it was handed over to the anti-burghers of Baddeck who never contributed a dollar towards it, while those who built it were ignored, and in an act which was passed it was provided that when the old trustees should cease to be in communion with the new body they should be supplanted. The government had hitherto declined to give a grant to the present occupants, because it would be conveying to them the property of others, and would be doing an act of gross injustice, as had been done by the late government in three or four cases. Some most disgraceful scenes had occurred in connection with Church property similarly situated, and now these parties came forward and threatened the government with vengeance if they did not aid them. The Bouldardiere church had also been a source of litigation. In connection with the Baddeck Church he had made an offer of compromise to the clergyman in charge, but the reply received, after a month's delay, was that the offer was based on claims which the congregation in possession could not recognise. The answer was signed by Alexander Taylor, as Chairman of the meeting, a person who had never expended a dollar on the building, and was hardly connected with the church that built it.

The complaints did not come from Baddeck alone, but there was one from Cape North signed by 67 persons. It was bad enough to take their churches from them, but no act of the Legislature ever before deprived any set of people of their cemeteries and prevented a parent from having the consolation of visiting his children's grave. This had actually been done and one person had told him that he had three times broken the lock of the Cemetery in order to get admission. He did not wonder under these circumstances that the leader of the Opposition had felt a delicacy in defending his progeny. Poor as they were, the people had raised money to endow a College, and this the union act had taken from them. The union he declared was only for political purposes its object being to make such a combination as would over-power and crush those who differed from them. His object was to leave matters in the position in which they were before the act of 1862. The abuse which had been bestowed upon him only showed how bad the case of his opponent was.

Mr. BLANCHARD said he would ask two questions: who were the petitioners, and who brought the matter before the House. The bill was introduced by Mr. Campbell, who had deliberately left the Church with a knowledge of the consequences that would follow. That gentleman himself took the property in reference to which he was complaining, from the Church of Scotland, obtaining an act of incorporation, by which he was appointed one of the trustees; so that if any wrong had been done Mr. Campbell was the guilty party. By his own act the cemetery and church at Baddeck had been taken from the Church to which he now wished it restored; becoming offended, he had chosen to leave the Church of Scotland, but subsequently returned, and now wished to take the property with him. As to the petitioners, there were 20,000 Presbyterians in Cape Breton, and after ransacking the island, only two hundred or three hundred signa-

tures could be obtained, and these individuals ask the repeal of an act affecting the rights and interest of the 20,000. It was entirely untrue that the union had been consummated without the consent of the congregations—two years had been allowed for the consideration of the question, and it had been brought before every Session. It could hardly be supposed that the House would believe the slander that 90 clergymen, second to none in talent and in piety, would consent to a union for discreditable purposes. The member for Victoria might still, if he had chosen, be resting under the shadow of a church that would be no discredit to him, and to-morrow he would leave the Church of Scotland if it suited his purpose. He felt proud of his connection with the body which had been sneeringly styled the anti-burghers, but he would not answer the sneer when it came from a man who also sneered at the Rev. John Geddie. Where could another man be found who would not be ashamed to speak of that clergyman as he had been spoken of by the hon. member for Victoria. The Church of Scotland to which Mr. Campbell belonged had, unsolicited, raised two or three hundred pounds as a presentation in token of their recognition of services by which Mr. Geddie had conferred honor upon the country that gave him birth. Instead of litigation being caused by the act of union he would say that the dispute relative to the Middle River Church would have been left to arbitration were it not for the personal influence of Mr. Campbell. The attempt also to get back the church at Little Narrows, which had been built since the disruption, was an attempt to create litigation. As to the petition of 67 persons at Cape North, the House could hardly credit the fact that there was neither church nor cemetery there to be affected by the act,—the first signature was that of an Episcopalian, the second was that of a Baptist, and the third was a transient person, an agent for a Company. River Dennis was in his own county, there were two churches at the settlement—one newly built since the union, the other built since the disruption, so that the Church of Scotland never had any claim in the property there. The petition from that locality was signed by nine persons, while there were hundreds of Presbyterians residing there. From Wycocounagh the largest petition came. It was signed by twenty-two persons, six or seven of the signatures being in one handwriting, while there were four hundred persons who would willingly sign a counter petition if asked. The object of the bill clearly was to allow the member for Victoria and his friends to come in and annoy the Church with his old stale claims on the Baddeck Church. As to the Baddeck cemetery, he had never seen a cemetery in the Island with a lock on it; they were often left too insecure. There were 32 Churches in connection with the Union and four in connection with the Church of Scotland in the Island; the former included 20,000 persons. He respected some who from conscientious scruples declined to acquiesce in that measure, but they were not the persons who created the disturbance. He declared Mr. McKiever, the Inspector of Schools, to be a public nuisance, as being at the bottom of the irritation and ferment that was exhibited. One of the petitions was signed by this individual

as a Justice of the Peace. He had been appointed to that office by the present Government, and had not only held public meetings to agitate this question, but had gone twelve miles out of his way recently to arrest a Presbyterian minister and other persons whose names should not be mentioned in the same day with his. He (Mr. Blanchard) had given cordial assistance to the Government in carrying the Education Bill; the United Churches had done and were doing the same; and to give the office of Inspector to such a man was a very poor return. He thought the House would hardly undertake to unsettle the rights of the great body of the Presbyterian people, and to involve their property in litigation at the request of two or three hundred persons.

Mr. C. J. CAMPBELL said he deplored Mr. Blanchard's ignorance of the church to which he belonged, the facts to which he had referred were matters of history. He (Mr. C.) was not ashamed to return to the church of his fathers when the platform fell from under his feet. It should be remembered that the petitions in favor of the repeal were only from the heads of families, and their number would have been much larger only that the people would not believe that their property had been taken from them. He denied having obstructed the arrangement of the Baddeck Church dispute. The statement about their being no church property at Cape North was also incorrect, for a clergyman had been stationed there for three or four years, and an attempt had been made to assess persons of all denominations in the locality of the erection of a church. He strongly condemned the language used in reference to the Inspector of Schools—there was but one petition in that gentleman's diction or handwriting, he had been appointed a magistrate for the express purpose of keeping the peace, and in the instance referred to, he had issued warrants against parties who had broken the peace.

Mr. ARCHIBALD said that if any vindication were wanted of the course which he trusted the House would take, it was to be found in the tone and manner of the introducer of the bill, than whom no disturber of the public peace could find a man more suited to his views. In Cape Breton there were about 20,000 persons belonging to the Presbyterian Church, and that number were wholly in favor of the existing arrangements excepting about two hundred.—He asked if there ever was an instance of such contemptible agitation on the part of a minority? The proposition for union had been discussed year after year and had been agreed to by the congregations with scarcely a dissenting voice, and he would tell the House that every one of the 69,000 Presbyterians of the Province would regard the passage of the bill as an insult on their church and clergy. He held in his hand a letter from a clergyman of high position, who declared the bill an insult to the Legislature, and said that there was not a genuine free churchman who wished a change, and that no one would advocate it but Mr. Campbell, who was well known to be a bitter disappointed and revengeful enemy of the church. In reference to the touching story about a mother not being allowed to visit the grave of her child he would ask why was she prevented? Because Mr. Campbell himself had taken away the rights she possess-

ed by an act relating to the Baddeck church property some years ago. There was something in the face of the matter so insulting to the intelligence of the House that he felt it hardly right to ask members to listen to any arguments. The language used in reference to the Inspector of schools was strong but it was entirely justified by that officer's conduct. A fear had been previously expressed that the Inspectors instead of attending to their duties would be made the tools of the government and the conduct of this Inspector afforded a complete indication of the remark. The man who should of all others endeavour to reconcile angry feelings was stirring up strife, issuing warrants against the clergy and making himself the tool of the member for Victoria. While he, Mr. Archibald, and his friends were giving assistance to the government on the school bill, this officer whose acts were a stain upon the man who recommended him and the government who would continue him a day in office, was using every effort to destroy its good effect. The very petition written by him showed him to be destitute of acquaintance with the principles of an English education, it contained blunders in every part of it, and this was the man who had charge of the education of the County of Victoria. After being appointed a Justice of the Peace, this individual had issued a warrant against twenty-five persons for going into a church and listening to a minister, and had fined them from \$10 to \$20 each, although the prosecutor swore that no breach of the peace had been committed. In the Act relating to the Union, a clause had been inserted providing that no congregation deciding to remain separate, within three months after the passage of the law, should be embraced in the union. He would be satisfied that the House should decide the matter on the speech of the member for Victoria, who appeared as the representative of a body that disowned him.

Hon. ATTORNEY GENERAL, said that the Legislature was in the habit of dealing fairly with the rights of every religious body. If the question was considered in the proper spirit, there need be no fear as to any injustice being done to any set of men. He regretted that the hon. member for Colchester had not provided in the bill of 1862 for the security of private rights. He could tell that hon. gentleman from his own personal knowledge, that at the first circuit in Cape Breton after the act had passed, he was met by deputations of religious bodies asking what could be done to protect their property. By the time they got the requisite advice, they were unable to give the 30 days notice required by the act. The act operated before the people knew what to do. It was not right for the Legislature to hand over the private property of one person to another.—Justice should be done where a man had put his hand into his pocket and contributed to the erection of a church, manse, or other property. If a majority of the congregation retired to another church, he should be remunerated and protected as far as the property was concerned. He regretted that the matter had been brought up, but now that it was there it should be given a fair and equitable hearing to the claims of the petitioners. He held that the true principle was this:—that if a number of persons went over and joined another church, they

should not take away the property but leave it to those that remained,—who belonged to the Free Church. He believed that it was only the intention of the promoters of the act of 1862 to receive power to manage their own internal affairs, but not to legislate away the rights of others. One congregation—that of Mr. Gunn—had been excepted at the time from the provisions of the act. Here the principle was established that it was unconstitutional and unjust to legislate away the rights of the parties who might object to the union. If it was right in one case, it was equally right in all others—to reserve the rights of clergymen in other parts of the country. Some little allowance ought to be made for a person like the hon. member for Victoria, who had the property which he had helped to create legislated away. No person could accept such a state of things without remonstrance. He did not think, however, that the present bill could meet the difficulty, and he would therefore suggest that it be referred to a special committee.

Mr. ARCHIBALD said that the Free Church had united with another religious body with which it agreed in doctrine. It was to all intents and purposes the same church it was before; it had the same right to the property it owned previously.

The discussion was adjourned.

Hon. Mr. SHANNON introduced an act to authorize the appointment of an additional Health Officer for the port of Halifax.

Hon. PROV. SECRETARY laid on the table a return asked for by Mr. Bill, relative to the appointment of Commissioners in the County of Kings.

TUESDAY, APRIL 10.

UNION OF THE COLONIES.

SPEECH OF HON. PROVINCIAL SECRETARY.

House met at 3 o'clock.

Dr. TUPPER then rose and said:—The house will recollect that, a few days ago, the hon. member for Richmond put a question to the Government, in relation to a very important subject, and on that occasion I stated that the situation in which we stood in respect to the Union of the Colonies would preclude me from giving him an immediate reply, until I had an opportunity of placing myself in communication with my colleagues in the Government, and with the other gentlemen who had assisted in maturing the Quebec scheme. I stated, however, to the hon. member and to the house, that in view of the great importance of the subject,—of the events which were daily transpiring in connection with the question—I would take the earliest opportunity of giving, in my place, the policy which the Government and the friends of the Quebec scheme of Confederation in this Legislature are prepared to take in relation to the matter. In order to redeem the pledge and bring the attention of this Legislative Assembly to the consideration of the gravest and most important question that has ever been submitted to it—after due deliberation with my colleagues, and consultation with the gentlemen who were associated with us at the Quebec Conference—I rise for the purpose of giving to the house and country the fullest information as to the policy which we are prepared to assume in relation to the subject. I regret deeply that in approaching a

question of such gravity—which demands that the members of the house should rise to the great emergency, and look with a single eye to the interests of the country; only to that course that is calculated to promote the advancement of our common country, and perpetuate the great privileges which, as British subjects, we enjoy; I regret, I say, Sir, in approaching a question of such deep importance, that the conduct of a portion of the press in this Province, controlled by a gentleman within this Legislature, occupying a high and responsible position, should make it my duty at the outset to notice, not the arguments—for that time has passed—but unfounded calumnies and misrepresentation. The time has passed when the opponents of a union of British North America can meet the friends of that great question on the platform, in the press, or on the floor of Parliament, and discuss it as becomes public men and statesmen, upon the principles and leading features of the scheme proposed. Instead of that, the opponents of union have resorted to appeals to the passions,—to such an amount of personal vituperation as never before I believe in the history of this country, was dragged into the consideration of a great public question upon any occasion. I should fail in what I owe to myself and to the great question with which I am at this moment undertaking to deal, and in what I owe to this deliberative assembly, if I did not in my place in Parliament, notice at the very outset the position that the opponents of this question have assumed, and the strange liberties they have taken with this Legislature. I would be justified on the present occasion, in dealing with this matter in a very different form,—any member of this Legislature would only be discharging his duty if he dealt with it in a different spirit,—and in asking the Legislature if the inherent privileges which the members of this assembly enjoy are to be trampled under foot in our very presence, and by those holding high and responsible positions within these very walls, and, at the same time, acting in the capacity of editor, publisher, and proprietor of a newspaper in this city. Is he to be allowed to assail the character and integrity of members of this house with impunity? not simply to hold up this Legislative Assembly as devoid of intelligence, as one of the most despicable bodies of men that have ever been permitted to deal with the public affairs of a free country; but to go further, and charge in the most direct terms members with being influenced by motives most base and corrupt? I hold in my hand the *Morning Chronicle* of April 6, last, in which a correspondent, over the signature of "Brutus"—a well known gentleman, closely identified with the publisher and editor of this paper,—who has ventured to speak of members of this house,—of his own political associates in this Legislature as well as of those who are opposed to him,—in terms not only of opprobrium and reproach, but which are alike dishonorable and insulting to every member of this deliberative assembly. He says:—

"As it is well known, a few designing politicians, doing the work of conspirators, traitorously contemplate the destruction of our constitution, and the transfer of our revenues to a set of men who are far away, and who care nothing for us or for the preservation of those interests which are as dear to us as

are the crimson tides that circulate through our veins."

I ask the house what must be the position of public men in this country who are called upon to deal with a question so vital to our interests as a union of British North America, when they are obliged to descend to such language as that? I need not remind the house when the Government was called upon to deal with the question, they invited the aid and co-operation of the leaders of the political party opposed to them; and that these gentlemen, thus called upon to share the responsibility in connection with a matter of such vital import, have acted from the first in entire unison with those who had asked their assistance. I do not mean to say that the members of the Government and the gentlemen opposed to them, who were delegates to the Quebec Conference, always saw eye to eye, I do not mean to say that we were not obliged on many occasions to arrive at a common result by a compromise of our individual opinions; but in the measure as a whole, that was presented to the world, we were all heartily and thoroughly united. Then, I ask, what is the position of the organ of the party of which the hon. and learned member for Colchester, (Mr. Archibald,) is the leader, when, in dealing with this question, they denounce that gentleman in the presence of this Assembly, as a conspirator, traitorously endeavoring to strike down the rights and liberties of his country.—A cause which requires an advocacy like that must indeed be in want of arguments on which to found a claim to the support of the people. Again I read:—

"Yesterday, however, on the floors of the Assembly Room, bygone promises were unscrupulously repudiated, confidence betrayed, and barefaced treachery exhibited. I sat in the gallery, and witnessed the perpetration of this act of political turpitude, and heard the whisper circulated from ear to ear—"The traitor has been bought." The scene reminded me of what transpired in the Parliament House in Dublin, at the commencement of the present century, when the seductive influence of British gold corrupted a Parliament, and professed patriotism was bought and sold like bank stock, or any other marketable commodity. I asked myself whether the temptations of either proffered official aggrandisement and emoluments, or the rejection of a candidate's claim to membership of a social club, was a sufficient pretext for party treachery, for the glaring tergiversation of oft repeated and publicly avowed opinions,—and what is more, for the betrayal of a country's dearest interests, and the diabolical destruction of its constitution."

When the opponents of Union have been obliged to take a course like that, they have given the best evidence that their cause is an untenable one, which cannot be sustained by public men. Here we find the best leading minds of the party with which the hon. member is associated, denounced by their own press, as men who have been recreant to the best interests of the country. Again, in the editorial of the *Morning Chronicle* of April 9, we read:—

"But whatever the people of this country believed, at the period referred to, there is too much reason to apprehend that their hopes and expectations will never be realized. A majority of the members of the Assembly, it is said, has been secured, corrupted by influences frightful to contemplate, to vote our free Parliament out of existence, and with it the rights and privileges we so dearly prize."

Here is a charge made in the most emphatic

language that it is possible to make it—that a majority of the members of the House have been basely bribed and corrupted by means that it is frightful to contemplate. What is the position of a man who thus degrades the Legislature, who holds up to the public execration the representatives of the people as men that are to be bought and sold. Farther on I read:—

“But might, we are told, makes right, and in this spirit the Provincial Secretary and his aiders and abettors in the house, propose to lay their sacrilegious hands upon the constitution of our country. Let them beware ere they attempt the unholy deed. The people of Nova Scotia are proverbially loyal, but they will have need of it all if their feelings are thus violently outraged and their rights basely betrayed.—Nova Scotians will not pass under the yoke of Canada without a struggle. A resolution to confederate as may receive the assent of a majority of the House of Assembly, but the end is not yet. Our countrymen, if true to themselves, will triumph in the end.”

You have then this same paper using this inflammatory and seditious language, with the object of exciting the loyal people of this province to rise against the action of the Legislature of their country. That is the position to which an hon. member has been drawn, in his inability to find arguments to sustain his cause. Again, in the *Morning Chronicle* of April 10th, we find:—

“In the course of the Confederate Debate in the Canadian Assembly, last winter, the Hon. George Brown referred to the large sum that was given for the purchase of the State of Louisiana, and suggested that the expenditure of as large, or even a larger sum, in the purchase of the Maritime Provinces, would be profitable Canadian investment. Mr. Brown's hint, we have reason to believe, has not been lost sight of by the Confederates. Canadian gold, it is said, is here, and in sufficient abundance to overcome the scruples of certain representatives of the people. The country has a sharp eye on the House just now, and will duly appreciate the sudden conversion of members, should any unhappily be found willing to accept the base bribe.”

I ask the house if the most spiritless member is prepared to allow a foul stigma like that to rest upon his character? I feel that all the hon. member has been doing is bringing down discredit and dishonour upon himself and the cause he thus upholds. I may have occasion to draw the attention of this house to the question as to how far these imputations of base, corrupt and dishonourable motives influencing the members of this Legislature, have sprung from the belief in the mind of the hon. member that there are other gentlemen as open to such imputations as he himself may be. Now when a base and dishonourable motive is imputed to a man of fair character, the party who attempts to put such a stigma upon him has a right to sustain it by showing that there is some reason for the belief that it might possibly apply to the person in question. I have already said that these imputations are not levelled against the gov't party alone, but fall with the same weight upon gentlemen politically identified with the hon. member. It may be argued with reason that these imputations fall with far greater force upon the leader of the Opposition, with whom the hon. member has been long closely associated, and whose motives he may be supposed to know better than those with whom he has not been politically identified.

Let me call your attention to this charge of

bribery. No one will deny the truth of the principle that it is only when you find a man lend himself to a dishonourable deed, that you have a foundation to impute a base motive. In what position are the promoters of the Quebec scheme? Were we in the position of having denounced a Union of British North America, and then, without anything to change their attitude, having suddenly assumed a position entirely antagonistic and at variance with that which we had previously taken? If it were so, then the hon. member might have something on which to base a suspicion. Before the question was mooted in this Legislature I was called to address a meeting in the city of St. John, in the neighbouring Province, and chose for my subject the Union of British North America. From that day to this I have been found the consistent supporter of Union. When the late government brought down the question of Union I adhered to the principles on the platform and in the press, and gave them my cordial and enthusiastic support. So down to the present day I stand before the people of this country as a man who, in every position, has used every influence he possessed to promote and carry forward that on which he believed the prosperity and security of the country depended. Can the hon. member find any foundation there for the imputation of base and corrupt motives? Again, if the promoters of Union are influenced by motives that are dishonourable to themselves and the Legislature, in what position is Her Majesty the Queen? When he sees the Queen, session after session, at the close and opening of Parliament, coming down and urging in the most emphatic terms that the Royal lips can use, this question of Confederation upon the people of British North America, does he mean to say that she, too, is corrupted by base bribes? Coming down to Her Majesty's Ministers—to the men who stand before the world as exemplars of the most distinguished patriotism, the most profound statesmanship—are they too corrupted by base means when they declare that the advancement of British North America is to be secured by carrying through this great question of a Colonial Union? What does he think influences Lord Derby and the statesmen opposed to Her Majesty's Ministers who, on every occasion, have stood forward and strengthened the hands of the government of England in carrying forward this great question of Colonial Union? What has influenced the press and people, as well as the Lords and Commons of Great Britain, when, with a unanimity which has never been exhibited on any other public question, they stand forward as the avowed supporters and advocates of this great measure? Is it at a crisis like this—when day by day these patriotic influences that are calculated to operate upon men's minds do operate—that a member of this deliberative assembly should dare to dishonour this House by imputations of being influenced by base and unworthy motives? Go to Canada and you find in that great country an overwhelming majority of both branches of the Legislature in favour of this great measure; and you find Her Majesty's Representative therein using his legitimate influence to press it forward. Go to New Brunswick and you see Her Majesty's Representative heartily

promoting the scheme though he was at the outset hostile to it; but when he has had an opportunity of examining it in all its details he gives it his support and confidence. If you look at the Legislature of that province you find that, although upon an appeal to the people by a combination between the opponents of Confederation and the opponents of the government, a large majority was returned to oppose the Quebec scheme, yet now day by day the condition of public affairs is operating to such an extent upon both branches that a few days since the following resolution was passed by the Legislative Council, by a majority of 14 to 5:—

Resolved, as in the opinion of this Committee,—That a Union of all the British North American Provinces, based on the resolutions adopted at the Conference of Delegates from the several Provinces, held at Quebec on the 10th of October, 1864, is an object highly to be desired—essential to their future prosperity and influence, and calculated, alike to strengthen and perpetuate the ties which bind them to the Mother Country;

Resolved, as in the opinion of this Committee,—That the Legislative Council should concur in any measure which may be necessary to carry such a union into effect."

I ask what is it that has corrupted the Legislative Council of New Brunswick so as to induce this overwhelming change in their minds. Is the hon. member prepared to charge them with base, dishonorable, and corrupt motives? Does he not know that sitting in that branch of the Legislature are men whose wealth and standing in the country are sufficient protection against the base insinuations with which he fills the disreputable journal which is under his control? In the presence of this crisis in the history of British North America the Legislative Council, like Her Majesty's Representative, stand forward and declare by an overwhelming majority that they are prepared to uphold the great scheme of Intercolonial union as the great means of advancing the best interests of the country. Look at the lower house, and you will find the leader of the Government—who has been bespattered for the past twelve months by this same press and held up as an incorruptible patriot,—declaring by the speech at the opening of the Legislature, and showing by his own admissions on the floor of Parliament, that his views have undergone a great change in relation to the question of a union of the colonies. Looking at the events that are transpiring in this province no one can doubt the result. Then, I say, is it Canadian gold that is corrupting the Province and influencing it to assume an attitude so very different from what it assumed a year ago? Coming to our own Province what do I find? I am not going to speak of the Lieutenant Governor (Mr. Annand—hear, hear), but the Government knows that the "Hero of Kars," in his capacity of Commander-in-Chief of British North America, used all the ability and talent at his command, by public speeches and written communications, in favor of a union of British North America. As one of the most distinguished soldiers of the empire he felt that the salvation and security of British North America depended upon the proposed union being carried into effect. What has corrupted that high-minded soldier, statesmen and patriot? Is it Canadian

gold? If the features of the scheme are such as to bring to its advocacy a man so distinguished, why is it that this deliberative Assembly is told that Canadian gold is the only means of inducing men to combine in carrying it forward? In what position is the brave and distinguished Admiral on this Station? He stood forth at the very inception of this scheme, as he stands to-day,—he, one of the most distinguished heroes that ever graced the navy of England—lending his voice and co-operation to the great scheme of a Union of British North America, as the means by which we are to be elevated into a position of infinitely greater importance than we can now enjoy,—as the only means of preserving these provinces to the Crown of England. What is it that has corrupted him? Need I remind gentlemen that the same position is occupied by that universal favorite in this country—the gallant Major-General Doyle. Does not the hon. member know that that distinguished gentleman as a soldier, as a servant of the Crown, as a man upon whom the responsibility of our protection depends, has used all the influence he can exercise by argument and persuasion in favour of a Union of these provinces. Thus we find all those illustrious men standing shoulder to shoulder in this great question. Then there is the distinguished prelate, His Grace the Archbishop, who has stood forward in this province, and by his voice and pen, urged upon the people the adoption of this scheme of Union as the great means by which the safety and prosperity of our country must be promoted. There is His Lordship the talented and astute Bishop of Nova Scotia. His Lordship the Bishop of Arichat—the united clergy of all denominations—Episcopalian, Catholic, Methodist, Presbyterian, Baptist, men of all shades of political opinions standing in a solid phalanx, such as was never exhibited in this country before, in the face of the people of this province as the supporters of Confederation, and giving all the assistance of their talents and exertions as the only means by which our country may be elevated, and our connection with Great Britain preserved. Side by side you find all the able and distinguished judiciary of our country united in sustaining this Union of British North America. What has corrupted the entire religious Press—the "Presbyterian Witness," the "Wesleyan," the "Christian Messenger"? Here you see these journals reflecting the views of the clergy of various denominations combining to press forward this great scheme of Union; and yet you find the hon. member standing forward and declaring that men who only look to the welfare and security of their country are influenced by the base and contemptible motives which he has ventured to insinuate. I am bold to say that if up to the present hour there has been a single dollar of Canadian gold brought into the country in connection with this question I am ignorant of it; if there has been a statesman in the whole of Canada that would dare to approach a member of this Legislature or any one else in this country by means such as that, he has not insulted me by taking me into his confidence. Standing here as I do with the knowledge of that fact—of the dishonorable character of this insinuation, I feel I could afford to let it pass by with the contempt

that it deserves if it was not sent abroad into the remotest hamlets of this country for the purpose of creating strife and rebellion among the unsophisticated and less uninformed of our people. I ask the hon. member if it was under the influence of base bribes a great number of the citizens of Halifax, when the question had been fully discussed on the public platform by the ablest men on both sides that could be found, were induced to stand forward as the avowed supporters of Union? I do not mean to say that on a question of such deep import, involving such weighty considerations, there are not high-minded men who differ from us, but I have never insinuated—never have been compelled to resort to such a despicable position as to say that they were influenced by other than patriotic motives. Then at Truro, in the heart of our agricultural counties, a large body of intelligent men, convinced by the arguments in support of Union, have stood forward as its firm friends. So at Windsor, Kentville, Bridgetown, Annapolis, Parrsboro, Amherst, Pugwash, and other parts of the country you see men who had, in year's past, been diametrically opposed to each other on political matters, standing shoulder to shoulder and co-operating for the promotion of Colonial Union.

I regret to have to allude to a gentleman who is not in this building, and I shall deal with him with greater delicacy than if he were here; but my duty as a public man compels me to sink every consideration of false delicacy in dealing with this question, and place it before my fellow-countrymen free from all disguise. I believe that the time has come when man should speak to man plainly and unhesitatingly, and when men who have taken up the position that the opponents of Union have, should be exposed to the naked gaze of the people of the Province. Need I tell the House that in the same paper which sends broadcast over the face of this country these unfounded calumnies, we see Mr. Howe over his own signature assisting the hon. member by his pen.

Before I touch upon that part of the subject, let me first call attention to the fact that the hon. member, at the close of my observations on Thursday last, addressed a challenge to me to show that he was at all responsible for ever having committed himself in any shape whatever to the Union of B. N. America; and I am here now to accept that challenge and to prove from the journals of this Legislature that if there is a gentleman in this House exposed to suspicion—if we wanted an inconsistent course of conduct on which to base an imputation—it is to be found in the career of the hon. member himself, and of the gentleman whose mouth-piece he is in this Legislature. This hon. member who now says that he has yet to hear the first argument in favour of Union, declared that "so many were the advantages of Union" that the time had arrived when it was necessary to deal with the question.

Near the close of the session of 1861, the hon. Mr. Howe, then leader of the government of this Province, moved the following resolution, which passed unanimously:—

"Whereas the subject of a Union of the North American Provinces, or of the Maritime Provinces, from time to time have been mooted and discussed in all the Colonies.

"And whereas, while many advantages may be secured by such a union, either of all these Provinces, or a portion of them, many and serious obstacles are presented, which can only be overcome by mutual consultation of the leading men of the Colonies, and by free communication with the Imperial Government.

"Therefore resolved, That His Excellency the Lieutenant Governor be respectfully requested to put himself in communication with His Grace the Colonial Secretary and His Excellency the Governor General, and the North American Colonies, in order to ascertain the policy of Her Majesty's Government, and the opinions of the other Colonies, with a view to the enlightened consideration of a question involving the highest interests, and upon which the public mind in all the Provinces ought to be set at rest."

The hon. member does not require to say "hear, hear," to direct the attention of every intelligent gentleman in this house and country to his shameful inconsistency. At a time when these gentlemen held the responsible position of Ministers of the Crown, we find the government of which he was a member bringing down to the house a resolution affirming in the most emphatic language that ever tongue can express the "many advantages of Union;" and in the face of that declaration you now see the hon member standing up and endeavoring to repudiate his former sentiments so unequivocally expressed. The man who pledged his character as a statesman, as a man of integrity, to the statement that the great advantages accruing from a Union of British North America should be considered by all the Provinces, now ventures to come into the House and tell us that he has "yet to hear the first argument in favour of that Union." I ask you if a public man, after an exhibition like that, is in a position to ask that the slightest weight should be given to any declaration that he may make? He may throw his base insinuations into the face of this deliberative Assembly—he may degrade himself by attempting to degrade this House, but it will avail nothing with every man who knows that the gentleman who brought here a great question of public policy, and pledged his public character to its support, now unblushingly declares that it was a farce, a delusion, and a deception, which he had been passing upon this deliberative Assembly. If I stood in such a position, I would forgive the hon member if he attributed base and dishonorable motives as the reason why I had been influenced to adopt a course so untenable and so at variance with the public policy to which I stood pledged as a public man.

I am going now to deal with another gentleman, outside of these walls, who brought that resolution here and declared himself in the face of this country as the great exponent of Union. The action of the house upon the above resolution was followed up by Mr. Howe addressing, in his capacity of Provincial Secretary, a circular to the Governments of Canada, New Brunswick, and P. E. Island, asking them to agree to a Conference for the purpose of discussing this important question of a Union of British North America. We come now to 1863, when the Hon. D'Arcy McGee visited this city to advocate this Union. I need not remind the house that a gentleman whom the hon. member for East Halifax has had the good taste to designate an "expatriated

rebel," at this moment occupies a position as one of the most distinguished statesmen of British North America. I speak of the Hon. D'Arcy McGee, a gentleman who possesses the finest mind, the most wonderful eloquence, the most facile pen, and who has devoted all the powers of his mind, all the influence of his position, during the past ten years, to the work of uniting, consolidating, and strengthening the people and resources of British North America. Can the hon member designate in no other style the man whom her Majesty the Queen and her ministers have delighted to honour, who, whatever the indiscretions of his youth may have been, has devoted himself in British North America to speak down and write down the antagonisms of race and of religion, and has contributed more than any other to unite the friends of British rule in these colonies. What was the language of Mr. Howe when this eminent statesman came among us in 1863? He visited this city year after year, and exercised his talents, as he has always done in Canada, for the elevation of our common country. He came on an invitation to Halifax and delivered an address in Temperance Hall on the union of British North America, and what was the opinion of Mr. Howe, as expressed on that occasion, of the man who came to this House and pledged his public reputation to the declaration that so great was the advantages of union that the Legislature ought to move in the matter for the purpose of bringing it to a happy consummation. Mr. Howe rose and seconded a vote of thanks to Mr. McGee in these words, as reported at the time:—

"Mr. Howe went on to remark that it would be injustice to the lecturer to say more, further than he was with him in all he said. He was for a Union of all the British North American Provinces, but he was for an Intercolonial Railroad first. Then the road would bring us to the Union. It would enable the Canadians to see our faces, to become familiar with us, and to see the number of 1000 ton-ships which we were building, which with our other wealth and resources, we are willing to throw into the one great stock. He thought a Union should not be delayed till we had drifted into difficulties. How short sighted were the English statesmen of old who lost them the thirteen states, when the difficulty could have been arranged in a month, the horrors of the Revolutionary war prevented, and all our race living at peace and harmony at present without the bickering and animosity which prevail in their midst. Talk of the fall of Quebec being a source of sorrow to the inhabitants of this Province. It would be more if the St. Lawrence were in the hands of our enemies, we should be compelled to beg permission to tear down the British flag. What he wished for Nova Scotia was that she may be the frontage of a mighty Colony; upon which it may be truly said 'sun never set.' No man can look upon Halifax and its environs, its harbour, its citadel and say it was made for this Province alone."

"The United States has drifted into a civil war; and we may drift into a tight place from which it will be difficult to extricate our selves. The States might assail us; but if we had a railway by which troops could be sent from Quebec or other military stations to the threatened point, we would be saved. Mr. Howe said, that he hoped when Mr. McGee returned to Canada he would be able to say, 'I have been down among those people who live on fish and lobsters, and there I seen keen politicians bickering upon small topics, but when the great subject of national union was brought before them then all minor difference was disregarded, and I found them uniting and pushing and cheering me on in this labor of love."

On that occasion, therefore, Mr. Howe stood forth to endorse everything that Mr. McGee had stated in reference to this great question of intercolonial Union. Did the man who stood then, as he does now, at Mr. Howe's back, call the scheme of Union a snare and a delusion? No, he stood there to publish those sentiments of Mr. Howe in his own paper, for the purpose of proving that that gentleman was a far-seeing patriot, who recognized the position which British North America must occupy, and the measures that were necessary to her security. But that is not all. In 1864, subsequent to my having carried a resolution in this House in favor of a Legislative union of the Maritime Colonies, a visit was made to this Province by a large deputation of Canadians, headed by Mr. McGee, upon the invitation of prominent merchants of this city, who came forward and contributed their means towards receiving their guests, and declaring by a resolution that it was of the greatest commercial and political importance that there should be a closer union between Nova Scotia and Canada. A splendid banquet was given on that occasion in the drill shed to our visitors, and Mr. Howe was present to declare that no change had taken place in his views since in Temperance Hall he stood forward and endorsed the opinions expressed by Mr. McGee. It will be remembered, that previous to this time the Government of Canada had re-organized on the basis of endeavoring to obtain a federal union of British North America; and Mr. McGee was present as the exponent of that policy. I spoke on that occasion, and expressed the delight with which I had witnessed this political coalition in Canada, and the hope it gave me that when Cartier and Brown were rowing in the same boat to the tune of "Row, Brothers, Row," the result would be a Union of British North America. It was known, at the same time, I may here say, for it had been announced in Parliament that Canada was about to send a deputation to the Maritime Convention to be held at Charlottetown, for the purpose of ascertaining whether the larger Union could not be carried out. I shall now quote from the remarks that were made by Mr. Howe on the occasion in question, as given by the *Sun* newspaper which is now engaged in aspersing the character of public men more consistently than themselves upon this question of Union. The *Sun* says:—

"Hon. Mr. Howe was received with most hearty cheers. His speech was short and appropriate. He was no stranger among them. His voice had been heard in almost every town in the Provinces of British America, and would again if occasion required it; and he was in hopes of yet seeing the dream of his boyhood realized—the Union of these Provinces in one great federation under the old flag of England, an event which he hoped was at no distant date. We are sorry that our space will not allow us to give this gentleman's remarks at greater length."

Now what next? The government invited Mr. Howe as the exponent of a large portion of the public sentiment of this country to go upon the Delegation. He told me, as I have stated in his presence, that if there was any great work in which his services were required he was ready to give us his assistance; and accordingly we invited him, and his reply is on the journals of this House. That invitation remember, was tendered after he was aware of the Canadian policy of extending the Union to all the Provinces—after he had endorsed that policy by saying he hoped Union would be secured. Deeply do I deplore that Mr. Howe was unable to attend on that occasion, for I believe that the difficulties and embarrassments that the friends of British American Union have had to encounter in dealing with this great question arose in a large measure from the fact that they were deprived at the Conference of Mr. Howe's services. I am only repeating that which we hear from the warmest friends he has in this Province, that if he had attended at the Convention there would not be a man who would be more enthusiastic in pressing forward this great scheme than himself. However, he addressed me a letter in which he expressed his deep regret that he could not at-

tend, and said he would be back by the middle of October prepared to assist us in carrying out any measure we agreed upon. Now you see the same man who thus bound himself to assist us in promoting anything that the government of the day and his own political friends might concur in, to-day in the "Morning Chronicle" denouncing these gentlemen, his own tried political associates, as traitors, and holding them up to the execration of their countrymen all over the province. If here was a spark of gratitude in his heart he should know that the men he is denouncing as conspirators are those to whom he owed the position and all the advantages that he has enjoyed for the past ten years. They are the men who sustained him in this house, who sent him to England and enabled him to secure the Imperial office which he lately held, and this is their reward! If I stood in the position that Mr. Howe stands in to-day on this great question of union, I would forgive the hon. member for denouncing me as a traitor and a conspirator, and feel that he had reason to insinuate that I was influenced by the most base and unworthy motives. Having said this much, having read the hon. member for East Halifax a lesson which he will probably never forget, I come now to the question as it lies before the house. I ask whether we are in a position to deal with this question. It has been denied that we are—it has been said that this is a change in the constitution of the country which must be ratified by the people at the polls, if it is to be constitutionally made. What, I ask, gave Nova Scotia her constitution? From what source does it come? Looking at the quarter from which it comes do you find anything to lead us to suppose that there is anything unconstitutional in a Parliament dealing with a question of this character. You find her Majesty's ministers, the very source from which our constitution was received, day by day urging, not that the Legislature shall be dissolved, and an appeal made to the people of this Province, but that the representatives of the people here assembled, in virtue of the constitutional power they possess, should deal with this question. You find the very highest authority in reference to constitutional matters, the British Government, committing itself unhesitatingly to the only statesmanlike position, that the Parliament of the country, the representatives of the people, had the power to deal with all such matters—that the people of a country are assumed to be present to the persons of those whom they have elected to represent them. Is that constitutional doctrine or not? Is it sustained by British practice which is our great exemplar, or opposed even to American practice, or to constitutional usage in any part of the world where constitutional government exists, that the constitution of a country may not be changed by the Parliament? What do you see at this moment in England? When the present House of Commons was elected, the question of Reform was hardly mentioned at the Polls; the people had no opportunity of expressing their opinions on the subject; but now you see the Parliament thus elected, preparing to deal with its own constitution, by adding nearly 500,000 electors to its list of voters. Members of Parliament have declared that the change is so fundamental that it will hand over the

governing power to a different class; but no one has rendered himself ridiculous by declaring the Parliament was not competent to deal with this question, and bring about this important change in the constitution of the country.

Is not Congress, at this moment, changing the Constitution of the United States in the most important respects? The time to ascertain whether a question is constitutional or not—to obtain a dispassionate opinion from the public mind in the country—is not when it is a subject of excitement and controversy. You must go back and study the pages of the history of our country to ascertain if you can find upon the record what are the real and deliberate utterances of public men on both sides of politics. I am prepared to go back and turn up the page of Nova Scotia's history, and give to the house the statements of public men of all shades of politics, that will be clear and conclusive upon the subject. The house will recollect that many years ago the Hon. Mr. Johnston, when sitting on the Opposition benches, proposed a resolution, providing for a Union of British North America.—That resolution became the subject of calm and dispassionate discussion, as it should always obtain at the hands of the Legislature. Two of the ablest men who have ever figured in the affairs of the country were sitting on the Government side—I refer to Mr. Howe and Mr. Young. These gentlemen discussed the question in all its aspects, and it was never questioned whether the Parliament had the power of dealing with the constitution, but, as I shall prove to you, the utterances of the ablest statesmen on both sides went to show that the power of the Legislature to change the constitution of the Province was admitted in the clearest and most conclusive manner:—

"Mr. Johnston said on this occasion:—"I do this, sir, that at the outset it may be seen to be my desire that the Imperial and Colonial Governments should be drawn together under this great question and to mould it, after full deliberation into some form fit to be presented for the consideration of the several Legislatures, and that I presume not at this stage of the enquiry to offer any specific scheme of my own."

Mr. Johnston thus emphatically recorded his opinion as to the power of the Legislature to change the constitution.

It was on this occasion that Mr. Howe advocated Representation to the Imperial Parliament, which seems like an *ignus fatuus* to be dancing before the eyes of some hon. gentlemen still. Mr. Howe, however, in the course of his remarks, gave in his adhesion to some such plan as was devised at Quebec. He said:—

"By a Federal Union of the Colonies we should have something like the neighbouring Republic, and if I saw nothing better I should say at once let us keep our local Legislatures and have a President and Central Congress for all the higher and external relations of the United Provinces. Under a Federal Union we should form a large and prosperous nation, lying between the other two branches of the British family, and our duty would evidently be to keep them both at peace."

Here you will see you have not only the authority of the mover of this resolution, but of the Hon. Jos. Howe, who stated that if he did not see a means of accomplishing the object he wished, he would go in

favour of a Federal Union of these Provinces, with a general Legislature to deal with the general interests, and Local Legislatures for the management of local affairs—in fact just such a scheme as we have proposed.

But the point with which I am now specially dealing is the constitutional question. I shall now give you Mr. Howe's views on this subject. When he obtained the unanimous permission of the Legislature to deal with the question of the Union of the Colonies, he addressed a letter to all the Governments of British North America, calling their attention to the advisability of holding a Conference in connection with the question. He said:—

"You will perceive that the Colonial Governments are left free to invite all the leading men of all the Provinces concerned, to a discussion of the question of Union, either of all the Provinces or the Maritime Provinces only; and Her Majesty's Government, it would appear, are disposed to give due weight and consideration to any resolutions to which the Colonial Legislatures may concur.

"It must be obvious that there can be no great progress made towards an adjustment of this question unless the resolutions to be submitted to the Colonial Legislatures are in substance the same, and in order that uniformity in spirit, and, if possible, in language may be secured.

Here you have from Mr. Howe himself the mode proposed to give effect to the resolution which he in the commencement of his course, as first Minister of the Crown, brought forward for a Union of the Colonies. Not a word escaped from Mr. Young, Mr. Johnston, or any one else, that it was necessary to appeal to the people, in order to effect this important constitutional change:—

Mr. Young said: "It will be apparent. Mr. Chairman, from these views, that while I am favorable to an union of these colonies and keenly alive to the benefits that may be expected to flow from it, I am also of opinion that we are not prepared to pass any resolution that should bind us at the present moment. Till we can at all events decide whether the union we desire shall be federal or legislative; it is wiser for us to say nothing. That cardinal point being once agreed on by the colonies, the details must be settled by a convention of the ablest and most experienced men. Their report would come back to the respective Legislatures for revision or confirmation; and in place of a separate movement, a movement might be commenced by general consent, after a deliberation and a call in review and give to British America, under the old flag and surrounded and endeared by the old associations, a government formed on the most approved model, which republicans might envy and a free people would venerate and defend."

So you have the three prominent men of the day committing themselves in the most unequivocal manner to the declaration that under the constitution of the country the mode of dealing with this question was a Convention of public men, and that the scheme should have effect given to it by the people's representatives assembled in Parliament, when Lord Mulgrave, at Mr. Howe's solicitation, addressed a letter to the Colonial Office. His Grace the Duke of Newcastle gave his opinion on this point, as follows:—

"I should see no objection to any consultation on the subject amongst the leading members of the Government concerned; but whatever the result of such consultation might be the most satisfactory mode of testing the opinion of the people of British North America would probably be by means of resolution or address proposed in the Legislature of each Province by its own Government."

To this may be added the following opinion of the present Colonial Minister. He says:—

"Her Majesty's Government anticipate no serious difficulty in this part of the case, since the Resolutions will generally be found sufficiently explicit to guide those who will be entrusted with the preparation of the Bill. It appears to them therefore that you should now take immediate measures in concert with the Lieutenant-Governors of the several Provinces, for submitting to the respective Legislatures this project of the Conference; and if, as I hope, you are able to report that these Legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power to carry it into effect."

So, at a time when the question was calmly debated, and when there was no excitement, you have these distinct utterances of all these able statesmen, both British and Colonial, that the Parliament of the country has power to change the constitution of the country, and that that is the proper mode of dealing with such a subject. Therefore I say that I am in a position to state that the Legislature is justified in taking such action upon the vital and important question, as in their deliberative opinion is calculated to promote the best interests of the Province and of British North America. It will thus be seen that the issue that has been raised by parties for purposes of their own—who wish to overthrow the existing administration and come into power themselves, is swept away like chaff before the wind; neither constitutional principle nor precedent being found to support their views.

After having sustained my position by arguments like these—after having brought the opinions of all these eminent public men to prove the proper and constitutional mode of dealing with the subject—after having shown that in the whole history of Great Britain and of the United States no parallel can be found for the appeal to the people which has been proposed—I think the opponents of Union are not in a situation to challenge the right of this house in the exercise of its legitimate functions to pursue such a course as the interest of our common country demands. They cannot find one example of a question like this being referred to the people at the polls, either in Great Britain or the United States,—there is one, but it is not one which they are likely to adduce for adoption by a British Assembly. It is the occasion on which the people of France were driven at the point of the bayonet to the polls, to sustain a perfect despotism in the country, to part with every vestige of liberty that freemen value.

Having already stated in detail the arguments in favor of Union which weigh upon my own mind, I feel I would be trespassing upon the House if I were, on the present occasion, to go as any length into a question which has been so fully discussed. I feel that when I have drawn the attention of the House to the fact that not only have gentlemen politically opposed to each other been brought to co-operate on this question, but the greatest mind of the country who have ever taken a prominent share in public affairs are endorsing this action, it is unnecessary for me to weary the House with any lengthy observations. I am not surprised that Mr. Howe should have

brought forward this great question of Colonial Union. At a time when party conflict raged in this country as never before, in 1861, the opposition party in this House stated that they were prepared to sustain their opponents in a measure that was calculated to advance the Union of British North America. At that time the advocacy of that subject was popular to the last degree; nor was it till the last moment that men were found unpatriotic enough to ignore their own previous actions in order to antagonize a great national movement, in order to obtain an unfair advantage over the Government of the day. Although by the dissemination of inflammatory productions, by conjuring up the frightful lugbear of taxation, a large body of the people have been brought to look upon the Quebec scheme with disfavor I am proud to know that the best minds of this country give their hearty sanction and are prepared to sustain this movement to unite British North America by every means in their power. Is it strange that such should be the case? What future can Nova Scotia have apart from a Union of British North America.

Look at the comparatively insignificant position we occupy and tell me, surrounded as we are by hostile tariffs, with a mere handful of population, what future can we look forward to unless it is in connection with the consolidation of British North America under one government. Looking only at the commercial aspect of the question—at the expansion of our trade and our great facilities for manufactures, is it a matter for surprise that the most intelligent men in this country have combined, as they have never done on any other question? The geographical position we occupy, can be of little service, and the great resources we possess are all comparatively useless and can never obtain full development except, as Mr. Howe has said, by making this province the Atlantic frontage for a mighty British American country. Let us turn our attention to the question of an Intercolonial Railway. Great as may be its commercial advantages, though it may make Nova Scotia the wharf of British North America, everybody knows that it has been stated time after time by Mr. Howe as laying at the very foundation of the security and advancement of British America. He said he wanted the Intercolonial Railway because it would bring about Union. For twenty long years the ablest public men had combined all their talents and energies to bring about the construction of this great work but all their efforts have proved futile. The moment however the Intercolonial Union is consummated, the Intercolonial Railway becomes an accomplished fact.

The delegates came back not only with the evidence that the general scheme gave that these Provinces would have all the legitimate influence that they were entitled to, but with the proof that the twenty millions of dollars required to build the Intercolonial Railway were secured by Intercolonial Union. But the great commercial advantages derived from Union have been so fully detailed on the platform and in the press in a manner that must carry conviction to every intelligent mind, that it is altogether superfluous for

me to dwell on this part of the subject. No man can look at the position of our country without recognizing at once that, surrounded, as we are, by hostile tariffs, our great facilities for manufactures must lie dormant. If, therefore, we wish to develop enterprise, and make this country a great hive of industry, we must, without delay, carry out this scheme of Intercolonial Union. The Reciprocity Treaty has been swept away, and no intelligent man, whether opposed to the Quebec scheme or not, can fail to see that the basis on which our previous prosperity rested has been affected to a large extent and that there should be found some counterbalancing means by which our common interests may be promoted. Important, however, as these matters are, there is another question to which I have hardly referred, which lies at the foundation of the whole argument. Whilst I am prepared to support this Union under the belief that our political and commercial prosperity is indissolubly bound up in the measure, I would say that I would accept it at some sacrifice for the purpose of adopting the only means by which I could hand down to my children the priceless boon of British connection. I must here again invite the attention of the House to the following observations of Mr. Howe on this subject, and for which the hon. member is responsible, for he was a member of the Government who brought them here. In a state paper in the Journals of 1862 Mr. Howe declared:

"The United States thus have been suddenly transformed from peaceful communities, pursuing lawful commerce, to a military Republic.

"The British Provinces survey these phenomena without fear, but not without emotion; and they ask, as the first measure of indispensable precaution and obvious defence, that the Intercolonial Railroad shall be completed without delay.

"Without the road the Provinces are dislocated, and almost incapable of defence, for a great portion of the year, except at such a sacrifice of life and property, and at such an enormous cost to the mother country, as makes the small contribution which she is asked to give towards its construction sink into insignificance. With the railroad we can concentrate our forces on the menaced points of our frontier, guard the citadels and works which have been erected by Great Britain at vast expense, cover our cities from surprise, and hold our own till reinforcements can be sent across the sea; while, without the railway, if an attack were made in winter, the mother country could put no army worthy of the national honor, and adequate to the exigency, upon the Canadian frontier, without a positive waste of treasure, far greater than the principal of the sum the interest of which she is asked to contribute, or rather to risk.

"The British Government have built expensive citadels at Halifax, Quebec, and Kingston, and have stores of munitions and warlike material in them; but their feeble garrisons will be inadequate for their defence, unless the Provincial forces can be concentrated in and around them. An enterprising enemy would carry them by *coups de main* before they could be reinforced from England, and, once taken, the ports and roadsteads which they have been erected to defend, would not be over-safe for

the naval armaments sent out too late for their relief.

"Therefore, we desire to strengthen our frontier by the completion of a work indispensable to its defence. It is not too much to say that the construction of the Inter-colonial Railroad might save us the cost of a war; for the Americans are themselves sagacious enough to see that, with that work completed, surprise is impossible, and the results of a protracted war at least extremely doubtful. Without it, Canada and the Maritime Provinces may be cut asunder, and outflanked at any moment, without the possibility of their population leaning upon common points of support and aiding and strengthening each other."

Here you have the deliberate utterances of Mr Howe and Mr. Annand, as members of the Government, and we accepted them in good faith as the language of sincerity. Yet the hon gentleman who brought that document here stands to-day saying that he will use all the influence he possesses to array the people against the only means by which we can get the railway upon which our common security thus depends.

I read with great satisfaction Mr Howe's letter to-day, because I felt that it would be a stain upon our country if an Imperial officer was secretly using the power of his position to thwart the progress of a great movement which the Imperial authorities had declared to be indispensable to the security of these Provinces. Therefore I was glad to find, when salary was no longer in the way, for it had ceased, even at this late hour he had thrown off the mask and avowed himself an enemy of a Union of British North America, declaring that all the principles he had proclaimed publicly on this question were a delusion and a deception, and that the position he was prepared to occupy was to trample down this Union, which he had done more to recommend to the British Government and the people of this Province than any other man and that for the insignificant and unworthy object of getting back into place and power in the Province of Nova Scotia (heers in the galleries.) I regret that I should thus be compelled to deal with an absent man but his mouth piece is in the House to defend him. With a large portion of that letter I entirely concur and shall read it to you, as I think it most effectually proves the necessity of an immediate Union of these Provinces:—

"While in Washington Congress was in session, and I had the opportunity, never enjoyed before for so long a period, to study the practical working of Republican institutions, and to see and hear the leading men now mingling in the stirring scenes of American public life.

On my return home I waited upon the Lieutenant Governor and upon General Doyle, and gave them my impression as to the state of affairs across the border. During the fortnight which has elapsed since, I have given to *any body who asked them, in the streets or in society, my opinions with equal freedom.* To those who enquired about the Fenian organization, I have said that it was formidable and not to be despised. That it embraced every city and town and village where Irishmen dwell in the United

States—that the proverbial generosity of a mercurial people, who gave liberally of their substance when their feelings were touched, placed large sums of money at its disposal; and that as great numbers of the Fenians have been under fire during the late civil war, they combined, within the order, a fair share of discipline and experience. I have said further that, as the American Government, in disbanding 800,000 men, had permitted each man to carry off his rifle and accoutrements on payment of six dollars, the country was full of arms, of the most approved construction, to be purchased for a song. That as for nine months past, the Government has been selling, at all the military and naval arsenals and depots, ships, cannon shot, clothing, waggons, ambulances, and every description of war material, at low prices, the Fenians could provide themselves with stores and transport on at a figure far below what they would have had to pay if the articles were purchased at first cost.

When asked if I thought the Fenians could muster any force that could conquer either or all these Provinces, I have invariably answered no. That, if the Fenians come alone, and if we are true to ourse ves we can repel them at every point of the frontier, or should they effect a lodgement speedily drive them out. But the real danger is *that they may not come alone.* Unhappily there prevails in the United States a wide spread feeling of hostility to the Provinces arising out of *the sympathy for the South* manifested during the civil war. This feeling has been strong enough to induce Congress to throw over the Reciprocity Treaty, and to risk collisions upon the fishing grounds and an enormous amount of trade. And then, every man who has had a ship captured by the Shenandoah, Alabama, or other cruisers built in England, attributes his loss to the supineness or connivance of the British Government, and is a Fenian of the most irate description.

But will not American Government interfere? This question is often put to me, and I answer, I believe and hope they will. Mr Gladstone evidently thinks and Sir Fred. Bruce is confident they will. But the danger lies here. At this moment the Cabinet at Washington is involved in complications of no ordinary kind. The great Republican party and the President have been at issue, upon the reconstruction policy, for ten weeks, and one Branch has just passed a Bill over the veto by a two-thirds majority. Both parties are appealing to the country for support. The Fenians are said to control a million of votes, and certainly make up a formidable portion of the Democratic party that supports the President. Those who cherish hard feeling against the Provinces and the British Government control a good many more. Out of these complications no human being, at this moment, can tell what may or may not arise. In the meanwhile a flying squadron has been ordered to the North Atlantic, and a formidable iron Ram, with double turrets, is said to be coming with it. Let us hope and pray for the prevalence of peaceful feeling, but let us complete our coast defences and keep our powder dry. There is another source of danger. Eight hundred thousand young men, accustomed to war, to the excitement of raids and to the license of camp life, have been recently disbanded. Should the Fenians make a raid, perhaps, in

the first instance, none but Irishmen may come. But should these, when the frost is out of the ground, entrench themselves and hold any part of our territory for ten days, who can say how long all the fighting will be left to the Fenians,—and should others come, what wild excitement may not sweep over some of those great border States when a few dead bodies are sent home? Who can tell how many horses may not be saddled in the warlike West? Here are our chances of peace and our perils fairly stated, as I have stated them to those in authority, and to anybody who asked me during the past fortnight. Taking the calmest view of the whole field, I am free to admit that, while hoping for the best and counting on the good faith of the American Government, I cannot but feel that circumstances may arise very difficult to control, and that may test the manhood and resources of the Provinces before very many weeks."

The House will remember that when the hon. member for Halifax wrested the paper of which he was the responsible editor from one of the Quebec Delegates for the purpose of writing down this question of an Inter-colonial Union there appeared in its columns a series of letters entitled "The Federation Scheme;" and it is now known that they were written by Mr. Howe—that has never been denied. What was the first position taken by Mr. Howe, the man who induced the House to declare that so many and so great were the manifold advantages of a Union of all these Provinces, that they should give the Government the power to deal with it? He came out as the avowed enemy of any union whatever, because it was going to destroy Responsible Government. You see the same thing stated in the communication of this morning. If to unite British America under one Government and into one Legislature, is to destroy Responsible Government, where was Responsible Government when the policy to which he had invited the attention of the House was adopted? Again, any Union with Canada was denounced because there were a million of Frenchmen in Canada. Were there any Frenchmen in Canada when that resolution offered by Mr. Howe passed this House? Had there no rebellion in Canada when he persuaded the House to agree to that policy of Union? Having denounced all Union—having trampled under his feet all the principles of his previous life, what more? The next "Botheration" article treated us to an eulogium upon Republican institutions such as was hardly ever seen in a British paper. Mr. Howe's language went to prove that the sooner the worthless bauble of North American institutions is swept away and replaced by the priceless gem of Republican institutions the better for us. I can forgive American statesmen holding such language those who owe their fealty to the institutions of that great Republic; but I am not prepared to hear this language from the same man who on the platform in England, when a delegate from this Province to the Imperial Government, denounced the Republican institutions of the United States and held them up to the scorn and contempt of every British subject. When his own country is to be consoli-

dated when a great scheme necessary to the security of British America is proposed does he still hold the opinions which he uttered when in England as the result of 20 years study of American institutions? Does he show himself a man of public principle? No! He shows that he can change his opinions at pleasure, and propound whatever views will best suit his interests, and that he is influenced by considerations that ought not to influence any public man, and may thus be induced to sustain one set of principles to-day, and asserts others dramatically opposed to these to-morrow.

I believe what the hon. gentleman says in what I have read of his letter is true. It is consistent with all the information that the government possesses. The information coming to us from hour to hour shows the existence of widespread ramifications of the Fenian organization. What ought to be the conduct of a patriot and a statesman in the face of a danger like that. I believe Mr. Howe has not colored the matter too strongly that these parties are going to make an onslaught upon some portion of these provinces; and the men who will be responsible for all its errors will be the men who are resisting Inter-colonial Union and indoctrinating our people with sentiments that may shake their allegiance to the Crown. It is only last night the Lieutenant-Governor received a despatch that two hundred Fenians had arrived at Portland; and there is deep apprehension that St. John or Yarmouth may be the first object of attack. In the presence of a common danger like that, the duty of a patriot and statesman would be to sink all differences and combine for the purpose of protecting the rights and liberties of British North America. Let the agitator of British pretension be withdrawn and woe at can Nova Scotia do in the face of such dangers as Mr. Howe depicts? Simply nothing. The hon. member for Halifax told us that the United States of America are looking to British North America, feeling that if they only possessed the provinces they would become the first Naval Power in the world and able to dictate their terms to all nations. That statement carries conviction with it to the mind of every man. I will now ask the House if I were corrupted by American gold, enamoured of American institutions, believing that the best thing that I could do would be to transfer this country to the United States of America what are the most effective measures that I could take? Would it not be to keep the Provinces disunited and repel the protection of the mother-country, and then tuton-hole every man whom I could influence, and undermine his confidence in our institutions by whispering into his ear the insidious statement that Great Britain could not protect us with the power of the United States was too gigantic—that Great Britain herself would fail to protect even the city of Halifax against such ships as were now possessed by the American Government. And when I had indoctrinated the minds of my countrymen with that idea, I would tell them that the best plan is to reject the policy of the Imperial Government, We all know that the feeling of loyalty to one's

country, the pride in its institutions, lies to the fact that their institutions are able to afford protection to life and property. Therefore the moment you have carried conviction to the minds of the people that Great Britain is unable to protect us, and that they stand in the presence of so gigantic a power that it has only to will to take them, then you undermine their loyalty. Now we have Mr. Howe in that attitude; since his return, in the streets, and in the clubs, and in the presence of the highest authorities of the land, you find him constantly holding forth the doctrine that Great Britain is *impotent* to defend this Province—that though British America might unite, yet with even Great Britain at her back, all she could do would not prevent her being swept away when the American Government wished it. If I stood in a position like that, the hon. member for Halifax might be justified in making us an object of suspicion and throwing out his taunts and innuendos about base bribes having influenced public men. Here you see the man who stood but yesterday on the very watch tower of the question of intercolonial Union—having indoctrinated the people with the sentiment of Union—having held up Republican institutions to scorn and derision; now standing forth and throwing his whole power into the scale of Opposition to Intercolonial Union magnifying the power of the United States extravagantly. What more? You have at the same time that this most insidious poison is being instilled into the ear of every one in the community, the leading opponents of Union unhesitatingly avowing preference for Annexation to the United States. (Cheers.) I ask you to put these facts together and I will not require to adduce the treasonable utterances of Mr. Annand on the streets which have been taken back and apologized for on the floors of the House. I say then, under such circumstances, I cannot come to any other conclusion than that the time has come when every man whether public or private, who wishes to save the colony and preserve the connection with the mother country, should speak out boldly and manfully, irrespective of any personal consideration. Holding the sentiments I do—believing that the crisis has come when we must decide whether we shall be annexed to the United States or remain connected with the Parent state. I would be the blackest traitor that ever disgraced a country if I did not by every means in my power urge upon this Legislature to prove equal to the emergency and take that course which, in a few months will secure that consolidation of British North America and the connection with the Crown of Great Britain which I believe, which I know it is the sincere wish of the people to secure, and which can alone place these Provinces in a position that will at once give them dignity of position and ensure their safety.

Having therefore, given the subject the most careful consideration having submitted the proposition of the hon. member for Richmond to the Government and to the gentlemen who are opposed to us politically, but who are associated with us on this question, we have come to the conclusion that it is our duty to the House and to the coun-

try to meet in all frankness the proposal that has been made. We feel that difficulties have arisen in connection with the Quebec scheme which require such an arrangement as has been proposed, in order to remove the objections that exist. I can only say, in reference to this matter, that Canada has accepted the basis of the Quebec scheme by a large majority, and that any alteration in the terms obtained from the Imperial Government must be even more favorable to the Maritime Provinces. I believe that the scheme provided ample security for the interests of Nova Scotia, but at the same time there are none of us who have been associated with it who would not be too glad to obtain any concession that may be still more favorable to the Maritime Provinces. The Imperial Government and Parliament will have an opportunity of largely improving that scheme, and giving us an amount of consideration that otherwise we might not obtain. It must be remembered that let Canada, Nova Scotia, and New Brunswick pass any scheme they please, that does not unite British North America. The only means by which we can be united is by an act of the Imperial Parliament. The Government can only say what bill they will submit to the Imperial Parliament; they cannot tell what will come out of that Parliament. This resolution, therefore, provides all the guarantees that can be had for a plan of Union being adopted by the Imperial Parliament, advised, during the passage of the act, by able and intelligent representatives of all parties, while it is under consideration.

TUESDAY, April 10, 1866.

UNION OF THE COLONIES.

SPEECH OF MR. ARCHIBALD.

MR. ARCHIBALD said:—After the very long and elaborate address to which we have listened, it would not be good taste on my part to detain the House long, but I feel that occupying the position which I have occupied on this subject, I could not sit silent on the introduction of such a resolution as that before the House. I regret greatly that in the discussion of this subject, it has been thought necessary by the Provincial Secretary to address the House in the impassioned tone and style of the speech to which we have just listened. I do not affect to be surprised at the course he has taken. Perhaps I could hardly have expected him, under the circumstances, to take a different course; still I feel that if there ever was a question in which passion should be silent, which should be considered with calmness and deliberation, it is this. The question before us is the greatest that could be submitted to this country or this legislature, and requires that we should look at it soberly and thoughtfully, in the light of the events which are transpiring around us. The Pro. Sec. has referred to the action of Her Majesty's government on the question of Reform, as affording evidence that it is competent for us to deal with the question without necessarily referring it to the people. He has alluded to the fact that the effect of the proposition now before the Imperial Parliament is to make an enormous transfer of power from the class that now enjoys it to a different class, and he has said that the right of Parliament to do so

has not been questioned there. The case in England is a strong case, but the precedent in our own Legislature is a stronger one. There the legislation proposed is in the line of extending the power of the people. How was it here? The members of the last Parliament came here elected by the people under an almost universal franchise. Yet without any appeal to the people we cut off one-fourth of the entire constituency of the country. Now whether it was right or not, is not the point. The question now is the power a Legislature possessed with reference to any change in the constitution. The moment the power is conceded in that case, it is conceded in this. If we can abridge the authority and power of those who elect us, we can deal in the same way with ourselves and with the power of the Legislature. I am free to admit that it is a power which should be exercised only in cases of emergency, and where prompt action is demanded. We have been told, and I am astonished to hear the statement, that we are proceeding to strike down the principles of responsibility which have given free government to the people of this country.—Now, what is stamped on the very forefront of the Quebec scheme? That the General Government shall be conducted on the principles of responsibility to the entire people, just as our own now is at this moment, so that the principles of the Federal Government are precisely those which we possess in this country.—Our Legislature is left to be moulded as we choose; our local administration, unless we wish otherwise, will be the same as at present, so that every principle of responsibility to the people is retained as it is now. In the local administration the responsibility lies to this people,—in the general administration, to the people of the entire group. The old altars remain—the worshippers have still the same faith; but in the metropolitan cathedral, or to borrow a figure from the Presbyterian church, in the National Assembly, will be those who have the care of all the churches. Therefore, while we leave intact the government of the country, all we do is to have these matters, which are of common and general concern, transferred to the General Legislature. We are told that the time for changing institutions is the time of peace and prosperity, that the only time for union is when we can calmly and deliberately consider all the arguments and objections. Such a doctrine falsifies the entire current of history. When was ever a union effected between independent communities with jealousies and rivalries which independence begets, except under the presence of the most cogent necessities? What gave birth to the union over our border? Was the proposition submitted to the different States in time of peace? Not so. The union, such as it was at first, was cemented only under the pressure of a war, with the mother country. If the people of the States had waited for union till that pressure had ceased to exist, they would have been destroyed peace-meal, and would have had no union at all. From 1774 till the time of peace the government had been carried on under a Congress which arose at the promptings of necessity, and assumed a centralized power, but when peace came the centralization ended, the States pulled apart, prejudice and passion denuded them, and it

was not until ruin stared them in the face that they were again forced to unite with closer hands and in a more solid union. The same has been the case with the other unions of the world. The merest tyro in history knows that the United Provinces of the Old World combined only under the iron heel of Spanish despotism. It was the hostile legions of Alva that created a union which peace and prosperity would never have produced. All the other unions of independent States, that have had any permanence, are those which have been cemented under the pressure of urgent necessities. The Prov. Sec. has referred to a letter which has recently appeared, and which will have great influence. I will not undertake to say that I consider the picture of our dangers from Fenian invasion rather overdrawn, but this I do say that if I were addressing this house, and desired to make the strongest appeal on behalf of Union, I would have rested it on the very premises which that letter contains. I should have drawn conclusions from it the very opposite of those of the very able and eloquent author. There are certain considerations connected with the dangers so powerfully descanted on in that letter, which should press upon us with great force. Our position is this: We stand alongside a country which has suddenly developed itself into the greatest military power in the world. It contains large numbers of armed and trained men, at this moment hordes of them are threatening an invasion upon our territory. We have opposed to us not merely the irradicable hatred of British power which distinguishes the descendants of Ireland who have emigrated to the United States, and who compose the Fenian element, but we have that hatred sympathized in by the great body of the American people, and no man can tell at what moment our soil may be invaded. Let us, then, look at England, and see how she stands. England fought for seven years to subjugate the rebellious States, and yet with only three millions to fight with, she was obliged to retire unsuccessful. Now thirty millions of people occupy the place of the three. They have been baptized in the blood of civil war, and acquired the skill and the daring which experience alone can give. Then look at the responsibilities which England has now thrown upon her. The entire Colonial Empire at the Revolution consisted of the American and West India Islands. For five years after the peace of 1783 Australia, a continent larger than the United States and now divided into six separate governments with the dimensions and revenues of principalities, remained undiscovered; New Zealand was unknown. The 140 millions of India were governed by native princes, with the exception of a few thousands who owned the sway of a commercial company; Canada East was in the power of the French, Western Canada was a wilderness. Now the myriads of India are direct subjects of the British crown, and on her Majesty's government devolve the responsibility of ruling this enormous population, itself far more greater than that of the United States. They have the care and protection of the vast continent of Australia; they have still to defend the Islands of the West and of the East Indies. So long as she retains her ascendancy at sea she can protect

these; but contemplating the whole Empire, including over thirty colonies, scattered over all parts of the world, consisting of every people and tongue, and situate in every climate, is it possible to conceive of a power but that of Great Britain that could have so long discharged such immense responsibilities as the possession of this Empire throws upon her, and that too almost within the life time of a man, necessarily involves. See how different from ours is the position of all these Colonies. Australia is at the antipodes, and is defended by its distance from a foe. India is separated from the only power that is likely to interfere with British rule by impassable mountains and trackless deserts, the islands of the Pacific and Australasia are protected by distance and their remote position; but here, all along the two thousand miles of continuous boundary between us and America, we have in our immediate presence the military power which makes British America the weakest spot in the Empire. No British statesman can fail to see that of all the points at which the Imperial power can be assailed, this presents the elements which make a war most to be dreaded. Do we wonder, then, that despatch after despatch has been sent by the home authorities, requiring us to put ourselves in such a position that England, if called upon to defend us, can do so successfully. Is it any wonder that we find the Colonial Secretary, time after time, almost imploring us, if we have any desire to retain our allegiance to the Crown, to put ourselves in such an attitude that the Crown can protect us? I feel that if there were no commercial advantages to be derived from striking down antagonistic barriers; if our material interests even were not promoted by Union, we could not gracefully resist the expression of such a desire on the part of those to whom we are indebted for protection, and of whom we are even now imploring aid. For they say, "we are ready to place the whole resources of the Empire at your back, we will defend you as long as you desire to remain with us; but we claim it a right which our position gives us to offer you advice as to the attitude you shall assume, and in which, we think, you can best be defended." Even admitting that there were no commercial advantages in the proposed Union, admitting even that we did not agree that the British government were right in the belief that Union would aid our defence, is there a man in the country who could look a British statesman in the face and say "we will accept your protection, but we decline your advice?" This argument alone, the deference which is due from our position as the protected and defended, to those who protect and defend, I feel to be irresistible. I have never hesitated in this assembly from the first hour when the proposition for Colonial Union was mooted, from giving it my support. Since it assumed a definite shape and I became a party to the Quebec scheme I have felt my conviction of the soundness of the principles upon which that scheme was based, strengthened by reason and reflection. I claim no right to dictate to others their course of action. The gentlemen with whom I have been associated, have a right, if they choose, to change their views, but I do not feel at liberty to do so while I retain

my present conviction. I have put my hand to public documents which bind me in honor to the same course to which my convictions lead. As I have said my opinion of the Quebec scheme is entirely unchanged. I believe that it guards our interests as far as we had a right to expect them to be guarded in an Intercolonial arrangement; but if larger concessions can be obtained, there is no member of this House or of the Quebec Convention, belonging to the lower Provinces, who would not willingly accept them. The resolution now before us leaves the question open only to a change in our favor—Canada is bound by her Legislature to go at all events as far as the Quebec scheme. The Lower Provinces alone are dissatisfied, and if any alterations are made, they must be in the line of concessions to them. If we can secure guarantees and privileges not embodied in that scheme, it will be in entire accord with the feelings of this House and those members of it that attended the Convention, and as the proposition now before us will secure us at least the benefit of that scheme, and possibly some others, I do not hesitate to give it my support, and have much pleasure in seconding the resolution.

Hon. PRO. SECRETARY, in reply to a remark from Mr. ANHAUD, said that the passage of the resolution would enable a scheme of union to be given effect to by the Imperial Parliament but that one of the conditions would be that the existing Legislatures would not be interfered with, and would continue to sit for the term of their election.

Hon. Mr. SHANNON introduced a bill to enable the City of Halifax to erect a slaughter house.

Wednesday, April 11.

The House met at 3 o'clock.

MISCELLANEOUS.

The House went into Committee and passed the following bills:—To appoint an additional Health Officer in the Port of Halifax; to postpone the ensuing sitting of the Supreme Court at Halifax; to authorize the sale of the old Baptist Meeting House at Caledonia; to authorize the sale of Mount Zion church at Milton, Queen's; to protect the navigation of Cow Bay, C. B.; to incorporate Little Brookfield Pier Co; to incorporate East River Coal Mining Co; to amend the law respecting Sheriffs; relative to assessment in the County of Halifax.

Hon. Mr. SHANNON reported up a bill to provide for the appointment of Special Constables in the city of Halifax.

Mr. ARCHIBALD reported up a bill relative to assessment; he stated that the object of the bill is to subject to assessment those persons who have large incomes and yet have no visible property to be taxed.

Mr. Coffin and Mr. Locke objected to the bill as it might operate hardy on poor working men, fishermen or others with only limited incomes; but Mr. Archibald said that they might be protected by a clause when the bill came up on committee.

Hon ATTY GEN said that it would be found on consideration that the effect of the bill would be to lessen the present taxation of the poorer classes. The bill was read a second time.

EDUCATION

Hon. PROV. SEC reported up from the Committee on Education. The report among other things recommended that assistance be granted to Dr. Forrester in the publication of a work on Education that would be found invaluable to teachers and others. It stated that during the present session 31 petitions had been presented in favor of, and 5 against assessment for the support of schools.

Mr ARCHIBALD objected to that part of the Report which referred to the Halifax Grammar School; the effect would be, he said, to transfer property properly belonging to the whole body of the citizens to a private body. He sustained the grant to Dr. Forrester as most judicious.

Dr. Brown and Mr. S Campbell objected to the grant to Dr. Forrester.

The report was allowed to lie on the table.

The school bill was then taken up for its 3rd reading.

Mr. S CAMPBELL then moved that 20 cents be substituted for 30 cents in the 2nd clause.

Mr BLANCHARD said he would support the amendment, as the clauses would operate unfairly in a county like Inverness.

Mr. Bill also supported the amendment.

The motion was lost on the following division:—

For—Heffernan, Hatfield, Hebb, Balcarran, Mc Lelan, Jost, Bill, C. J. Campbell, McDonnell, Blanchard, S. Campbell, Locke, Robertson, Ross, Ray, Coffin, Robicheau, More, Colin Campbell, Annand, Smyth.

Against—Attorney General, Prov. Sec., Shannon Pryor, Donkin, Lawrence, Donald Fraser, Cowie, Allison, Bourinot, Killam, Hill, McKay, Parker, Kaulback, Hamilton, Tobin, McKinnon, James Fraser, Dr. Brown, Archibald, McFarlane.

Mr. Bill moved that the bill be recommitted for the purpose of adding these words: "if recommended by the Grand Jury, and approved of by the Court of Sessions". He argued that the House could not do better than leave the matter of taxation in the hands of trustworthy men as composed the Court of Sessions.

The motion was lost by 13 to 38.

Mr. BILL again moved that widows and unmarried females be exempt to the extent of \$1000; but did not press the motion on the understanding that the subject would be dealt with when the Assessment law was under consideration.

Mr. S. CAMPBELL gave notice to rescind the vote on his motion.

MISCELLANEOUS.

Mr. BILL presented a petition signed by 200 names, from Kings Co against Confederation.

Mr. MORE, a similar petition from the same county.

Hon ATT GEN. a petition from Glace Bay, C. B., in reference to a title to certain lands.

Mr ANNAND a petition from North Queen's against Confederation.

Hon ATTY GENL a petition from Col. Chearnley and a number of Volunteer Officers complaining that they are not placed on an equality with Militia Officers.

Mr. COLIN CAMPBELL urged the strong claims of the Volunteer organization to favourable consideration. They had the right of the field in the case of war, and yet were ranked inferior to Militia officers. They had not been fairly dealt with; for instance they had only received \$4 a year when they had been promised \$5.

Mr BILL was glad to hear such opinions expressed relative to the Volunteers, but thought the subject might be appropriately referred to the Commander-in-Chief.

Mr. PRYOR said that there was every disposition on the part of the Militia Committee to act friendly towards the Volunteers.

Hon PROV. SEC. said that the Government were disposed to treat the Volunteers in the most friendly manner, and had always done their best to promote their progress. If any reduction had been made on the amount contemplated to be given to them, it was without his knowledge.

Mr. COLIN CAMPBELL said he was glad to hear the Provincial Secretary state that the Volunteers were entitled to the \$5 last year.

In reply to Mr. Archibald the Provincial Secretary stated that every precaution had been taken to prevent any communication between the inhabitants and the Cholera ship lying in Quarantine.

Hon Mr. SHANNON presented a petition from inhabitants of Waverley asking for a lock-up-house, also a bill in accordance with the prayer thereof.

Mr. COWIE introduced a bill to amend Chap. 29 acts of 1865 "for the better encouragement of education." The object is to extend the time for district No 8 of the town of Liverpool for the borrowing of certain moneys for educational purposes.

The House then adjourned.

THURSDAY, March 12, 1866.

The house met at 3 o'clock.

UNION OF THE COLONIES.

Upon the motion to take up the order of the day, Mr. ANNAND asked that the debate be deferred in consequence of the arrival of the mail steamer from England, which had brought him important correspondence requiring immediate reply.

Hon. PROV. SEC. replied that the Government were desirous of pressing the matter to a conclusion, as the Session had far advanced. It was well known that gentlemen opposite desired delay for the purpose of creating an agitation of the most discreditable kind.

Mr. S. CAMPBELL supported the proposition.

for an adjournment of the debate.

MR. MILLER called attention to the fact that the *Morning Chronicle*, in publishing his recent speech on this question, had omitted a considerable portion of it. It was of great importance that this debate should be fairly sent to the country, and he trusted that the paper referred to would receive no portion of the grant for publishing the debates, unless this matter was remedied.

MR. ANNAND said he was not aware of the circumstance until that moment. He should be ashamed if any one in his employ could be guilty of the act intentionally. He would request that the Committee on Reporting and Printing investigate the matter. He did not see why the debate should be thus forced on. Some time ago he had asked the Government to define their policy on the question, and the answer given was, that they had no policy until after New Brunswick had taken action. It would be impossible for him to remain in the house that afternoon.

Hon. PROV. SEC. said that no one could say that justice had not been done to the hon. gentleman in this debate—as to courtesy, he, Mr. Annand, was entitled to none, for he had been representing a majority of the house as corrupt and venal. He, Pro. Secy., was not prepared to accept the statement that private business interfered with Mr. Annand's attendance, for that gentleman had spent the morning in the streets, and had made no secret of his intention to postpone the debate.

MR. ANNAND rose to reply; but upon interruptions coming from the galleries, Mr. S. Campbell said he "saw strangers in the galleries," whereupon they were cleared.

MISCELLANEOUS.

When the galleries were re-opened, Hon. Pro. Sec. laid on the table a copy of a despatch relating to the assumption of the government of Nova Scotia by Sir F. W. Williams.

Also a copy of a proclamation relating to Sanitary and Quarantine regulations.

Hon. ATTY. GEN. introduced a bill relating to treason and seditious practices. The bill, he said, was a copy of the 11th and 12th Victoria.

UNION OF PRESBYTERIAN CHURCHES.

The adjourned debate on the bill to repeal the act relating to the Presbyterian Church of the Lower Provinces, was resumed.

MR. ROSS said: He was once told that a man who changed his politics more than once was a very doubtful character—but the man who twice changed his religion, was not to be trusted. His colleague had shifted his course so often in politics and religion, that it would be hard to find a place for him, and even in the census he had been compelled to put himself down as belonging to the Church of Scotland. That gentleman had not dealt honestly with the house in making some statements, when it was known that years ago before the union took place, he left the Free Church for reasons well known to the people of Victoria, and with which he did not think it

necessary to trouble the house. It was a well authenticated fact that when a man left his church and joined another denomination, he was sure to turn with inveterate hatred against the church with which he formerly associated. He need not tell the representatives from Cape Breton, nor even the Atty. Genl., that years before the Union took place, the church had in his colleague an open and unscrupulous enemy. He remembered the time when the clergymen were simple enough to believe that in Mr. Campbell they had a friend, but they afterwards saw their mistake. He maintained that Mr. Campbell having left the Free Church before the Union took place, he was not the proper person to find fault with that Union. He might say more—that there was not a Free Churchman or Antiburgher, as the other body had been sneeringly termed, that would trust him with anything that affected their rights or interest either in relation to their churches or church lands. In 1843 the disruption took place, and all the ministers who remained in Cape Breton in connection with the Church of Scotland and the congregations declared themselves as Free Churchmen, and in the change no one forgot the church of his fathers, if his fathers had a church, any more than Mr. Campbell himself. The congregations followed their ministers and continued to use the same churches that they owned and occupied before the disruption took place. As to the Union, there was one striking lesson in connection with it that perhaps would not be forgotten by Mr. Archibald, and should be followed by the Provincial Secretary as an illustrious example. This Union was for years before the people, and explained to them by their respective clergymen. It had been approved of by the people, and they authorized their ministers to ratify the Union. There was no secrecy, no coercion—it was by the free will of the Free Church people that they became united. What was the result? The two bodies united, and Free Churchmen in Cape Breton retained their ministers, and in every sense but in name remained Free Churchmen. In Victoria alone, he found by the census, that out of a population of 9700 there were 5726 who put themselves down as belonging to the Presbyterian church of the Lower Provinces. There were ten places of worship in that county, and the house was asked to pass an act that would place their churches and properties at the tender mercy of his colleague. He would firmly assert that if Mr. Campbell would leave the people alone, and if the Inspector referred to would not sow the petitions broadcast over the country—there would not be any of them presented. The history of these petitions was, that his colleague got a young man at Baddeck to write them, and with the exception of the grammatical and correctly spelt petition of McIver, all were written by that person, and sent to all parts of the county for signature; and it was a fact within his knowledge that both at St. Anns and Cape North they were sent by Mr. Campbell. He was happy to say that in St. Anns not a single person signed

them. He knew Cape North well, and knew also many of those who signed these petitions some were Catholics, some Churchmen, and some Baptists. Surely the Union did not take churches from these people. There they had neither church nor cemetery in connection with any denomination. The Baddeck petitions were not signed by any important person excepting Mr. Hart, who appeared to be entirely under the control of Mr. Campbell. It was signed by one person who had no property in the church, and by another who was in California when it was built.

Indeed, there was no cause of complaint at Baddeck, the two bodies joined, and were working harmoniously together, and no better proof of this was needed than the small number of signatures. Another petition had been got up, said to be from Baddeck, but really from Middle River, where there was a division, and some signatures might be found. With the exception of his colleague, the church had no greater enemy than Melver, and a grosser injustice could not be done a free people than to make him, a pliant fool in Mr. Campbell's hands, the Inspector of Schools. Out of the 7 School Commissioners 4 would petition for his removal, and to make matters worse he had been made a Magistrate to the disgust of the well thinking people of Victoria. He could tell the government that the Custos, with the consent of the other Magistrates at the General Session found it necessary to direct the Clerk of the Peace to place a minute of his conduct on the Session books, and that itself should be enough to cause his removal. He was a public nuisance and a curse to the cause of education in Victoria, when he came with these petitions, and when he prated and preached against really honorable clergymen he deserved all that might be said about him. As to his not being present to defend himself—neither was the Editor of the "Witness," who was abused and censured by Mr. Campbell. The Crown Land Committee last year had defined a mode by which the people of Middle River could settle their disputes, and those in connection with the Presbyterian church of the Lower Provinces had acted on the report, and he had pretty good authority for saying that if that dispute was still unsettled, no one was more to blame than Mr. Campbell himself. Two despatches were sent to him by the government, desiring him to name a person to act on behalf of the government, and this he refused to do, but wrote to the Attorney General opposing the method recommended by the Committee. The petition on the table showed that Mr. McKenzie's congregation were most anxious to have all the disputes settled by arbitration. He would say that as far as the cemeteries were concerned, they were free to all, and he defied anyone to show a case where friends or foes to the church were refused burial in them. As to the statement about a man breaking the lock several times, no one dared to say that the man went for the key and was refused. In order to quiet the unsettled mind of his colleague, he would assure him that if he could not re-

ceive instruction in their churches he could be buried in their cemeteries, notwithstanding all his opposition.

If his colleague had been a member of St. Paul's, and had left that church and joined another denomination, he would have no right to any interest he had in the church, and that was exactly the position that Mr. Campbell occupied. There was another fact in connection with the bill which it would be well to explain: Session before last a bill had been introduced by his colleague to enable him to sue the Trustees at Baddeck—that was rejected; and now the whole union must be destroyed because Mr. Campbell had private rights, or rather had some claims on the church up to the time of his conversion to the new faith. He believed that if those claims of parties who left the church, even before the union, were paid, less would be heard about churches and cemeteries being taken away. Then these imaginary grievances would fade away. There was a certain balm that worked like a soothing unction on the souls of some people, and who could tell but the Provincial Secretary, forgetting his zeal for retrenchment, might invent a method whereby the private rights of Mr. Campbell before the union, could be restored to him. He might tell the Attorney General that he could walk from one end of the country to the other without hearing anything about people losing their rights, and that this case would not be here but for the enemies of the church.

Mr. BLANCHARD moved that the bill be deferred for 3 months. The motion was lost. For the motion: Messrs. Clafferman, Brown, Hebb, Townsend, Parker, Lawrence, Churchill, Blanchard, Archibald, Locke, Ross, Blackwood, S. Campbell, Ray, Annand, Robertson, Coffin, Killam, Balcan.

Against: Messrs. Hill, Bill, C. J. Campbell, Jno. Campbell, Hatfield, Lingley, D. Fraser, Pryor, Hamilton, Kaulback, Moore, McKinnon, Donkin, Allison, Jas. Fraser, Prov. Sec., Tobin, Colin Campbell, Smith, Fin. Sec., Att. Gen.

Mr. ARCHIBALD said that every Presbyterian in Nova Scotia would regard the action of the house as a gross violation of their rights.

Mr. BLANCHARD gave notice of a motion to rescind, and said that 300 persons would not be allowed to deprive 20 000 persons of their rights without the people knowing what members sanctioned the act at each stage.

Hon. ATTY. GEN. said that the act in reference to union had been passed against the remonstrance that private rights were being legislated away, and yet its supporters refused to give protection to those rights. The gentleman introducing the present bill had made an offer of compromise which had not been met in the spirit that was to be expected.

Hon. FIN. SEC. said he regarded the bill as an attempt to do justice to those to whom wrong had been done, and he was in favour of sending it to committee. Mr. Campbell had a right to come to the Legislature and ask redress. If he had owned a pew in any one of the churches affected by the act he would have been entitled to compensation under one of its clauses, and was he not equally entitled when he had expended £400 on the church?

Mr. ARCHIBALD asked what would be thought if two sections of any denomination agreed to unite and the House resolved that they should not do so? That was the position of this case; not a man connected with the united body had voted for the bill excepting the Attorney General who was the counsel of the claimants. The rule which the House had just laid down would, if applied to some other churches, send them to the foundation.

Mr. C. J. CAMPBELL said he wanted nothing more than the strong expressions and threats of Mr. Archibald to convince the house that the bill would pass. It seemed as if that gentleman could not get sufficiently strong terms of abuse to apply to him, Mr. C., and the Inspector of Schools. For his part he was content that the hon. gentleman should abuse him, for such abuse did not affect him in the smallest degree. He had understood the hon. gentleman to threaten the house with a Presbyterian ascendancy—that shewed that the union was merely for party purposes. What matter was it to the house what Church, he Mr. C., belonged to? 300 persons had petitioned and had declared and shown that their property had been taken from them. He himself had seen the cemeteries referred to locked. The bill would not take a penny from the united body, its object was to repeal an obnoxious clause which gave them property that they never paid for. He came there to represent his constituency, and to state the claims of any parties putting them in his hands, and did not care how many were opposed to him if he was right. He felt himself hardly equal to the task of combating gentlemen on the other side with all their ability, for he could with difficulty speak the English language, but the remarks of Mr. Archibald showed that this was the greatest defeat of that gentleman's public life. That gentleman must have felt the strength of the case laid before the house, when he had declined the challenge to argue out the question, and had been ashamed to further his own progeny, being obliged to get another member, the hon. member for Inverness, to do the dirty work.

Mr. BLANCHARD said it was very seldom that any member even condescended to such ungentlemanly, indecent and contemptible vituperation as that which had just been heard. Nothing better, however, was to be expected from the hon. member for Victoria. That gentleman had said that he could not speak the English language—that had been abundantly proved, and the words he used were only fit for the arena of the fish market. The next time he spoke as he had done he would receive a still more severe reply.

Mr. BLANCHARD then withdrew his notice of motion to rescind, on the understanding that the bill would be again opposed on the motion for the second reading.

MISCELLANEOUS.

Hon. PRO SEC'Y laid on the table the Report of the Fruit Growers' Association.

Also a petition in favour of assessment for support of schools.

Mr. ARCHIBALD presented a petition for the establishment of a new post road in Colchester county.

Mr. BLACKWOOD presented a petition from Commissioners and Trustees of Stirling district, in reference to a school-house which had been destroyed by fire.

Mr. STEWART CAMPBELL asked the government to lay on the table any correspondence in their possession in reference to the abandonment of the Quebec scheme.

Mr. ARCHIBALD introduced a bill to amend chap 72 of Revised Statutes, respecting Commissioners of Sewers.

The House then adjourned.

FRIDAY, April 13.

The House met at 3 o'clock.

Mr. ANNAND presented four petitions from Wallace against Confederation.

Hon. ATTY. GENERAL presented a petition from Antigonish in favor of assessment for schools.

UNION OF THE COLONIES.

The adjourned debate was resumed.

Mr. ANNAND said:—In rising to address the House on a question far transcending in magnitude any measure ever submitted for our consideration I feel I am under no ordinary responsibility. On this occasion we have arrayed against us a large amount of ability from, we suppose, all the talent of the government combined with that of the leader of the opposition. Although I desire that some one more able than myself was here to put to the members of the House and to the people of this country the important bearings of the question, yet I feel that if the gentlemen who surround me "speak the truth and feel it," it will send an echo through the Province, and if there should be a majority in the House in favor of a transfer of our privileges to a government to be organized six or eight hundred miles off, yet the gentlemen who oppose the bargain will go down honored to posterity. I feel on this occasion the necessity for more than ordinary calmness—I feel it would ill become me to imitate the puerile example set on more than one occasion by the leader of the government. Have we not seen that gentleman approaching a question which involves the dearest rights of the people, which involves the rights of members who sit here, have we not seen him rising to move a resolution which will sweep away our constitution, not in the spirit of a statesman dealing with a large public question, but in the tone and spirit of an angry, an excited, and when this debate concludes, it may be found a disappointed partizan? I do not intend to approach the question in that frame of mind, or to follow him in the intemperate abuse of gentlemen not here to defend themselves. The mover of the resolution spent an hour and a half in assailing the Press of the country and those who contribute to and conduct it. Transferring our thoughts to a wider arena, can we imagine Mr. Gladstone coming to the House of Commons and preface his Reform Bill by a tirade against one of the organs of public opinion? Could that statesman condescend to such a course, he would be hissed out of the House of Commons. And yet that is the

way in which this question has been approached by the Provincial Secretary. Let me at the outset invite the attention of the House to the state of this country two years ago. There had been discussions in past years in reference to Union, and there had been diversities of opinion, some being in favor of a Legislative and some in favor of a Federal Union; but I challenge any gentleman to show me that beyond the more expression of abstract opinion in favor of Union, any resolution was ever proposed. The country was then peaceful, contented and prosperous; no one here thought of changing our constitution for the sake of connection with Canada. Some of us entertained views favorable to a union of the Maritime Provinces, but no one dreamed of giving up our present institutions and accepting a subordinate status in another country. I then ask, How does this question of Confederation arise? By what necessity has it been produced? Does it arise from the necessities of the people or Legislature of Nova Scotia? Why, sir, we all know that but for the necessities of Canada, as admitted by the Provincial Secretary himself and by his colleague in the delegation, that question would never have been pressed upon our attention. Am I to understand, as was said elsewhere, that owing to the Canadian necessities—owing to the fact that the Government of Canada had come to a dead lock, there being three changes of administration in three years, and Parliamentary Government having become impossible, therefore it was that the people of Canada to rid themselves of their difficulties, financial and political, cast their eyes upon these Provinces as affording a means of escape? We all know what took place in 1864. A resolution passed authorising the appointment of delegates to confer on the question of a Maritime Union; those delegates proceeded to Charlottetown, and there they were met by Canadian speculators in politics, by whom they were spirited away to Quebec, and were seduced from their allegiance to this country and from the mission with which we charged them. In October, after a fortnight's debate at Quebec, and amidst exhaustive festivities, they passed resolutions favorable to a union of the Provinces of British America. These gentlemen have said that this delegation, was authorised by the ministers of the Crown and by the Governor General, but it had no authority from us. The debate at Quebec was conducted in secret, all its deliberations were carried on with closed doors, and there is good reason to believe that but for the accidental publication of those resolutions the scheme might have been passed at last Session. I was in England when these negotiations were going on, and did not return until a few days before the resolutions were received. My opinion as to the scheme was asked, my answer was 'I have not yet made up my mind, but will take time to consider.' I did take time, and having occasion to make a journey of some 200 miles I put the papers in my pocket, read them, and when I returned I had come to the conclusion that the scheme was unjust to this Province, politically and financially and that I would be recumbent to my responsibility to the country if I gave it my sup-

port. We may be told that the proposition for union was received with acclamation by the people of England,—let any man go to England to-day, and although the allusion is somewhat dispelled we hear it said: "the Colonies should unite because the time has come when you should assume the burthen of your own defence." That sentiment will be found in the despatches from beginning to end, it was the burthen of Mr. Cardwell's recent speech at Oxford. With reference to the opinion of the Colonial Secretary of State I would say—when the scheme of union was sent home for approval it was at once indorsed, in 1864 the Imperial Government had no policy on the subject, no desire that we should be confederated, but on the contrary, the Lieutenant Governors were restricted to the consideration of a Maritime Union. I will be told that after the receipt of despatches from this side of the water the Colonial Secretary consented to delegates proceeding to Quebec my argument is that Her Majesty's Government, until these representations were sent to the Colonial Office, had no policy in reference to union. What followed? In consequence of strong despatches from the Governor General representing that union was popular in all the Provinces, under this inspiration and believing that the thirty-three delegates truly represented the sentiments of the people Her Majesty's Ministers committed themselves to the policy of union. I do not hesitate to say, and in saying it I reveal no confidential communication, that I had an interview with Mr. Cardwell, in which I gave him the independent view taken by the Provinces,—for the first time that gentleman obtained the opinions held by the opposition in this House, and the views I gathered from that interview were of this effect: "Her Majesty's Government have committed themselves to the scheme and are therefore bound, if possible, to carry it out."—That is the true position of the question at the Colonial Office. Mr. Cardwell committed a grave error which no British statesman in the Colonial Office ever committed before in expressing his approbation of a scheme which had never been submitted to the ratification of the representatives of the people. We have been told that the public opinion in England is in favor of union. Not one in ten of the people of England know that there are such places as Nova Scotia, New Brunswick and Prince Edward Island, and few have heard even of Canada. The first idea arising in their minds is that the union will be a good thing because the union of the three kingdoms was good; but I met only two in during my visits to the Mother Country who did not believe that the scheme before us was a Legislative union; and when I mentioned what it really was—that we were to have a general government and then five local Governments, there was not an intelligent man with whom I met that did not treat it with contempt. The leading and animating opinion of the people of England was that the Union scheme was to take from the Mother Country a large portion of the burthens with which she has been charged in reference to our defence. Among others whom I met, was a very

worthy gentleman who was Warden of Fishmonger's Hall; and some will hardly credit me when I say that this is one of the wealthiest organisations in London. That gentleman was the Warden when the Prince of Wales dined there, and it was in that Hall that Messrs. Galt and Cartier received their first public dinner in England. The first observation of my friend the Warden was "Mr. Anand, I hope you are in favor of Confederation." I said that I was not. "What" said he, "not in favor of Confederation, I imagined that all your people were so." I then explained the reasons of my opposition, stating that the Provinces were not connected, that there were four or five hundred miles of wilderness without there being any means of communication. His reply was that he had seen some observation in a newspaper and that his opinion was that the Railway ought to precede the union, and when I mentioned the many prejudices that existed he said: "this is not a thing to be hurried, satisfy yourselves that Confederation is right and build your railroad." That was the opinion of this gentleman and I think it is the real opinion of the people of England. But we are told also that the Queen, (God bless Her Majesty) is in favor of the scheme—Under our constitution the Queen can do no wrong, she is not responsible for a word contained in the speech which Parliament is opened but her ministers are charged with that responsibility. The Queen we may imagine, has no thing else to think about than the affairs of British North America in her household and the exercises of domestic virtues. I attach no importance therefore to that argument and gentlemen oppose much the weak indeed for argument when they bring Her Majesty's name into the debate. Her name should not be mentioned here. Then it is said that the British Government are in favor of Union—I have given some of the reasons as stated by the Colonial Secretary. There are fifty or sixty Colonies to be managed and if five or six of those in British America could be knocked into one the labours and responsibilities of the Colonial office would be lightened. We have also been told that the British press are in favor of it, the press are probably animated by the feelings of the Colonial Secretary, and imagine that the change instead of being forced upon us in defiance of our wishes, was desired on our part, but tell intelligent Englishmen that the attempt to unite us will be contrary to the wishes of nine-tenths of our people and the knowledge of this fact would smash the strongest government in England that attempted to carry the measure. The press believe we desire the change, that the scheme was fair and just, and that they believe the scheme will lead us to assume a great portion of that burden which the mother country has been charged in connection with our defence. We are told that the Governor, the Hero of Kars, is in favor of it, I do not desire to say anything disrespectful of that highly respectable and able General, I respect him as a warrior who stood true to the cause of his country and faithfully served his Sovereign, and would undertake to find in the

backwood of Musquodoboit men who understand the bearings of the questions, and the necessities of the Province as well as he

(Upon interruptions being caused by disturbance in the galleries they were cleared at the instance of Mr S. Campbell, but were subsequently re-opened.)

Mr. Anand continued:—While, as I have said, I have the greatest possible respect for the abilities of the officer presiding over the government of the country, in his military capacity, on questions of local politics, and relating to the formation of a new constitution for these Colonies, these are not the men to whom I would look for instruction. The name of the General and of the Admiral have also been improperly introduced into the debate to give weight and authority to the scheme of Confederation—these are the proper judges in time of war, we are ready to follow them in the field and to fight under their flag upon the sea, but it is highly indecorous to bring the names of these functionaries here and least of all, should the clergy be so prominently referred to within these walls, we respect them, in the discharge of their duties in connection with their flocks, but a clergyman is out of place when mixed up with the excitement incident to politics and party strife. Then we have been told "you have all the religious press of the country against you." Now, do we go for our political opinions to such newspapers as these? These are authorities while they confine themselves to the tenets of the doctrines which they uphold, but no longer, and I am authorised here to state, on behalf of many Presbyterian clergymen and of many leading Wesleyans and Baptists, that they repudiate the opinions of these journals. But if it be true, as has been represented, that all this combination is on the side of the Government, I ask how is it that the great body of the people are arrayed against them. The reference to these religious bodies challenges this reply. The Provincial Secretary may quote these distinguished names and refer to these organs of popular opinion, but how is it that he dare not at this moment open a simple constituency in the country? There have been three elections since the scheme was propounded, and at every one of these the Government has been "routed horse, foot and artillery." What do I care for the opinions to which he has referred, when I know he dare not open a single constituency, and that the greatest misfortune that could befall him would be a vacancy in any of the seats? I therefore hurl back the allusions he has made. My mind can carry me back to the time when we were struggling for responsible government, we asked Her Majesty's Ministers for the concession, and we had them against us, we had against us the press of England, Her Majesty's Representative, and the General here, but we were right, we pressed for the rights and privileges of a free people, and achieved the system that we now enjoy.—Therefore away with the arguments drawn from the opinions of the Admiral, and General, and Governor,—their feeling is to obey the Imperial authorities, and their opinions may be expected to be moulded by their government. We have been referred to the despatch of the 24th June 1865, in which it is said:—

"Such an union seems to Her Majesty's Government to recommend itself to the Provinces on many grounds of moral and material ad-

vantages.—as giving a well founded prospect of improved administration and increased prosperity.”

What are the matters tending to the prosperity of the country? The improvement of trade and commerce, a large market for the produce of the country. And can it be said that Confederation will increase our market? Will anyone say that we will buy a barrel of flour more from Canada unless a discriminating duty is imposed? Will Canada buy any more fish or coal under Confederation? Can it be said that our productions will be allowed to enter Canada upon terms more favorable than those imposed on American articles? I do not give the Canadians credit for so much love for us. We may have free trade between the Provinces without a political union. It can be effected through our various governments. Would any one hazard a statement of the reverse in the face of the evidence upon our journals? I have entertained some doubts as to whether free trade in manufactures is at present desirable. There are manufactures growing up here which are now so weak as to require legislative aid; and to bring them into competition with the more advanced manufactures of Canada would be to ruin those who have embarked their capital in such enterprises among us; but if it should prove desirable I would throw no obstacle in the way. Then, is it necessary to have the Union to assimilate our currencies? No one will hazard such a statement. The effort has never been made; and until it fails, I will not admit the argument drawn in favor of a political union. It would be impossible to assimilate our currencies with that of the United States, and with the States we have a hundred commercial transactions for one with Canada.—Then comes the question of postage. Our postal system is now nearly the same, the only difference being, that while in Nova Scotia newspapers pass free, in Canada there is a tax which impedes circulation. The question of the usury laws has been brought here for discussion, but I would suggest that if we are to have Confederation we need not discuss the subject,—in Canada the rate of interest is much higher than with us, in some instances as high as from eight to nine per cent. Then there is the question of the tariff; there may be no great difficulty on this subject if Canada is willing to suffer such a loss of revenue as would arise from striking off her twenty per cent duties.—In that case there could be no difficulty in assimilating our tariffs, and this it will be remembered was one of the conditions in the arrangements of 1862. Much has been said about the Intercolonial Railway,—this has been the grand lever used to operate on the people. We are told that we can have no railway unless we confederate, but looking at the necessities of Canada,—at the position she would be in if difficulties arose, ice-locked for six months in the year, we find how essential it is to her independence. While these are the facts so little loyal sentiment is there among the public men of Canada that they will not make the effort to secure that road, but will run the risk of severance from the British Empire while using it as a lever to bring about Confederation. Then comes the question of defence—we are told we cannot defend ourselves unless Confederated. I admit the potency of the argument in refer-

ence to the Intercolonial Railway as a means of defence, and I believe that that road will be exceedingly useful in time of war, but it might be cut in two or three places in the event of hostilities. Any one reading the history of Sherman's campaign knows how easy it is to cut a railway, and how easily these Provinces could be separated.

The Pro. Sec. read a speech delivered by me on a former occasion in reference to the question of defence and I am prepared to reiterate the same sentiments to day. My mode would be this: I would have the people contribute liberally pound for pound with Canada, or any other portion of the Empire, for the protection of our homes, I would pay that amount into the Imperial treasury and would charge the Imperial government with the defence. I would be willing to have this levied as a tax per head or a percentage on our revenue. If it be true, and I believe it is, that the British government intend to throw upon Canada the expense of her fortifications and of her gunboats for the lakes, here will be an enormous amount that we must pay into the Canadian exchanges, not for our defence but for theirs. The Pro. Sec. referred on a previous day to my friend Mr. Howe, and to the opinions that he uttered in England in advocating the Intercolonial Railway,—that gentleman did express strong opinions, but they were not so much on the subject of the union of the Colonies as in connection with that railway. Taking advantage of the apprehension existing in connection with the Trent affair, Messrs. Howe and Tilley used every argument they could urge. I do not hold myself responsible for every opinion expressed upon these matters and I may perhaps admit that Mr. Howe has committed mistake almost as grave as those of the Provincial Secretary himself. In reference to the contribution from the treasury for defence, do not let me be misunderstood as to the mode in which the tax should be levied. By the consent of our own Parliament, responsible to our own people, we should contribute such an amount as the country could afford. What do we require for defence? It is said that as we are now situated we cannot march a militiaman from one Province to another. Then all that is required in case of an attack is an authority by which we can all reach each other. Do we not now see all British America armed to the teeth and prepared for the conflict without Confederation? Then there is this difficulty in the way. When we are confederated the Commander-in-Chief would have his head-quarters at Ottawa; and we will find that if Canada is attacked and these Provinces threatened, the Executive Government at Ottawa will naturally prefer the protection of their own homesteads to our security, and will withdraw our men for their defence. What did we hear some of the Canadian statesmen say some time ago? One of them said, “Look down at the Maritime Provinces; they have 30,000 sailors to man our gunboats.” Another repeated the remark; but it never occurred to them that we might also be threatened with attack, and that it might become necessary to send down some of the yeomanry of the West in exchange for our seamen. Their idea seemed selfish and narrow and limited only to the defence of their own country at our expense. It is said that Confederation will make us much more powerful

for defence. But Confederation does not give us a man more or a pound more; it adds neither to the material nor the sinews of war. If I need refer to any authority on the subject, I have it under my hand—an authority which even the Provincial Secretary and the Attorney General will admit to be conclusive. I read an extract from a leading paper in Canada, the *Toronto Globe*, in answer to a correspondent who urged the objection "that Canada, under Confederation, would be compelled to furnish a quota for the defence of the Lower Provinces, whereas they could aid us none at all, and therefore we should be relatively weakened." The *Globe*, in reply, said:—

"It so happens, however, that for purposes of defence we are already Confederated, the Imperial Government being the central power. It is quite true that we could not in the present state of things be compelled, without the consent of our Legislature, to send troops to serve in Nova Scotia; but the home authorities have a most powerful means of coercion in their hands. They would tell us at once that, if we selfishly refused to aid them in the concentration of troops at the point where the *Commander-in-Chief* judged such concentration to be most needed for the preservation of the whole of British North America they would leave us to our fate."

"In fact, we regard the addition of their population as a clear gain to Canada. New Brunswick might demand their assistance and ours too—for next to our own Province she is most open to attack but when the danger had passed her strength would be thrown in wherever needed. Moreover, the Maritime Provinces, in consequence of the large proportion they have of a seafaring population, furnish a most valuable element of defence which we do not possess."

The Prov. Sec. said "if you would only unite you would be defended by the entire forces of the Empire." Will he undertake to say that if we decline to unite we will not be defended by Her Majesty's army and navy? Will he hazard that opinion? No, because he had to admit that come what would Her Majesty's government could not afford to lose these Provinces. Then away goes the story about casting us off, and even the leader of the Opposition said that England was bound to uphold the Colonies.

There is another view of the question and it is not the least interesting,—in connection with finances under confederation as compared with the present position. I have in my hand a calculation made from our public documents—from the estimate laid on the table of this House at this Session, and I will be prepared to show the House, and through the press the people, the enormous sum we would sacrifice by Confederation. In the event of union the taxes known as Customs duties would be collected and paid into Ottawa treasury, so with the light duties, our railroads would become the property of the General Government, and our revenues would be derived from the following sources:—

Casual revenue.....	\$70,000
Crown lands.....	45,000
Gold mines.....	20,000
Hospital Insane.....	20,000

\$155,000

In addition to this there would be the subsidy of 80 cents per head, amounting to \$264,000, making in all \$419,000, to be appropriated for the public services of the country. Certain large services, such as revenue expenses, civil

list, and lighthouses would be transferred. Accepting the estimate laid on the table the other day as correctly representing the actual requirements of this country for the leading public services, I assume that the same amounts will be required under Confederation as now, and cannot well be performed for less.

Local Expenditure—Estimate 1866

Agriculture.....	\$12,000
Board statistics.....	4,000
Criminal prosecutions.....	1,600
Coroner's inquests.....	1,400
Crown lands.....	18,500
Department mines.....	17,595
Distressed seamen.....	200
Education.....	120,000
Colleges, &c.....	13,595
Indians.....	31,200
Immigration.....	5,800
Poor's Asylum.....	12,100
Relief.....	5,000
Roads and bridges.....	274,228
Road compensation.....	200

\$487,508

The total cost of these services will be \$487,518, and I put it to the house can you afford to reduce any of them? And if so, where are you to begin? Then there is another species of expenditure which refers to the altered condition of affairs under Confederation; we have not yet been informed as to the sort of local government that we are to have,—we know not whether there will be one or two branches of the Legislature, or how many members each will have; but I assume that our Legislative expenses will be \$20,000 instead of nearly \$50,000, as at present. We will require a Prov. Secretary, he may not be a gentleman of such distinguished talents as the gentleman before me, because he may be called to a mere exalted sphere—he may aspire to be Prov. Secretary of the Confederated Provinces, he may be one of those governors who will be sent down to administer our affairs, certain it is that all those gentlemen who have acted as delegates will be spirited away from us. The expenses of the Prov. Secretary's office I have put down at \$4,050, and I have included in this the cost of the Financial Secretary's department. For our Treasurer I have put down \$3,100. We will require a Crown Officer to act as Atty. General, though I presume we can dispense with the Solicitor General, and for that officer I have put down \$1,600. Miscellaneous services last year amounted to \$35,044, but I have stated them at 10,000. Navigation Securities I have reduced from \$80,000 to \$26,000,—I may be told that this last will be a charge upon the general government, but many of our small services will be entirely lost sight of by that great government in the extension of her canals, and in attending to the wants of the North West territory. For Public works, in reference to the extension, I have allowed nothing, although we need extension of the Lunatic Asylum,—Public works, including Board, maintenance, Hospital for Insane, Penitentiary, &c., I put down at \$50,600; Printing, \$5,000; Packets and Ferries, throwing out of consideration the steamboat service, \$11,070. Altogether we have for Confederation under these services, \$131,420.

Legislative expenses.....	\$20,000
Provincial Secretary's Office.....	4,000
Receiver General.....	3,100

Attorney General,.....	1 600
Miscellaneous,.....	10 000
Navigation Securities,.....	26 000
Public Works,.....	50 600
Printing,.....	5 0 0
Packets and Ferries,.....	11,070

\$131 4 0

We have, then, for the first class of items a total of \$487,518, and for the second a total of \$131,420—making in all \$618,938. Deduct from this all the revenue to be got this year, £419,000, and it will leave a balance against the Province, taking the estimate of the present year, in round numbers of \$200,000. Do not let the house be mistaken,—this very year if Confederation existed we would lose \$200,000, as is shown by the estimate laid upon the table. I put it then to the house, are you going to throw on the people the burden of taxing themselves to maintain these works? Will you enter into a scheme of union that will take from our treasury \$20,000 a year? And bear this in mind, that while our wants will go on increasing every year the subsidy will remain at 80 cents a head according to the census of 1861. In the event of a war which would prevent the sale of our coal, our revenue would be \$30,000 or \$40,000 less. I ask the gentlemen who went home last year, with special grants of \$10,000 for their counties, how they are to be provided for when Confederation is accomplished? You must either throw off the road grant or else deprive the people of the liberal allowance for education. The Pro. Secretary on a former occasion charged me with inconsistency in enunciating here principles contrary to those which I have placed upon the journals. I deny ever having committed myself to any scheme of union with Canada, and I will quote from some of the journals that he referred to. The resolution moved in 1861 by Mr. Howe, was as follows;

“Whereas, The subject of a union of the North American Provinces, or of the Maritime Provinces, of British America, has been from time to time mooted and discussed in all the Colonies.

“And Whereas, While many advantages may be secured by such a union, either of all these Provinces or of a portion of them many and serious obstacles are presented, which can only be overcome by mutual consultation of the leading men of the Colonies, and by free communication with the Imperial Government.

“Therefore Resolved, That His Excellency, the Lieutenant Governor, be respectfully requested to put himself in communication with his Grace the Colonial Secretary and His Excellency the Governor General, and the Lieutenant Governors of the other North American provinces, in order to ascertain the policy of Her Majesty's Government, and the opinions of the other colonies with a view to an enlightened consideration of a question involving the highest interests and upon which the public mind in all the Provinces ought to be set at rest.”

Here you have a resolution stating the fact that a diversity of opinion exists in the Provinces as to union, and that there were two kinds of union, one of the Maritime Colonies and the other including Canada, so that the gentlemen voting for that resolution voted for the appointment of Delegates to ascertain whether the union should embrace all the Colonies or only the Maritime Provinces.

The resolution suggested an “enlightened consideration” of the question, and we all know the result of that consideration, and another object of the delegation of that period was to se-

by the Delegates assembled at Quebec in September, 1862. The chief mission of the Delegates was in connection with the Intercolonial Railway. Union was mentioned at the Convention, but only incidentally discussed, no resolution being moved, and no record of the proceedings being kept. So that it merely amounts to this:—we pass a resolution stating that there is a diversity of opinion on the subject of Colonial union, which should be considered and set at rest; but no man in the House has been committed to any scheme of union, much less to the Quebec scheme. I am not therefore inconsistent in taking my present course, nor is any member who was then in the legislature, and I could feel myself at liberty to vote against any scheme that did not commend itself to my judgment. But of all the members of the House, the Pro. Sec'y is the last who should dare to talk about inconsistency. His whole life has been a life of inconsistency, from the first time he took a seat here. We know how he acted in reference to the construction of railways. What is his policy on that subject now? It is the policy of the gentlemen who preceded him. He had a policy in reference to retrenchment, by which \$79,000 a year was to be saved; he went to the country with the cry, and that is the last we have heard of it, while nearly every public service has been largely increased under his administration. The Pro Sec. seems exceedingly sensitive just now; he declares that by those shocking appeals from the press we are disturbing the public mind; why could we not have been quiet until the gentlemen accomplishing this measure had been spirited away to another country. He said, in reference to some remarks which have appeared, that he would be justified in dealing with me after another fashion. I understand him to mean, by that, that he could have brought me to the bar of the House for these remarks. I challenge him to shew me his right to do so, even if I wrote the article alluded to; and I challenge him to show anything in the article to warrant the language he has used. Then we are told that the press has had the audacity to charge members of this house with being traitors. Unquestionably the press did so, but did he ever turn to the meaning of the word? Webster says a traitor is one who deceives, who betrays his country; and I say, taking that sense, there are men here who deserve the appellation.

Hon. PROV. SEC.—I think the hon member is safe in making that assertion.

Mr. ANNAND continued—I hurl back the charge upon the Pro. Sec., because he is bartering the liberties of the country. I charge upon him that he is a deceiver, a betrayer of his country—that he is a traitor. There are men in this House who, within the last fortnight, have corresponded with their constituents, sending them down sheaves of petitions against Confederation, by which the people implored the House not to pass any measure on the subject until it had been referred to them. There are men in this House who occupied that position a few days ago, and who to-day are found in the ranks of those who will pass the scheme and prevent the people from expressing their opinion. These men are betraying the

people, and are acting in diametrical opposition to their well known sentiments.

The Provincial Secretary intimated that there is one gentleman here who deserves the name of traitor; he referred on one occasion to the apology which I made for using language that I was sorry for. Any gentleman who has been betrayed into heated and improper language is acting an honest and honorable part in acknowledging his error. I did that without hesitation, although the Provincial Secretary did not state the words to which he alluded; but what did I find in the press? In a portion of the press reflecting the views of that gentleman I saw a most extravagant and distorted account—a most unwarranted and untruthful version of what occurred. To put myself right I wrote to the gentleman to whom the words were used, and I will let my justification go forth with the misrepresentation that has been circulated.

(Mr. Annand here read copies of letters from Mr. B. Wier and Mr. E. M. McDonald, stating that Mr. A.'s remark in reference to a Fenian attack upon Canada was in reply to an exclamation of Mr. Wier.)

These, said Mr. A., are the naked facts of the case. I met a worthy friend who is perhaps a little excitable, and he used exceedingly strong language to me. I used very strong language to him in retort, but I remember we left laughing at the extravagant expressions on both sides. Gentlemen opposite are very sensitive about remarks made in the press, and if they could, would probably stifle the press and muzzle conversations out of doors, but I hold in my hand the record of language scarcely less forcible than mine, but with this distinction, that instead of being uttered in a moment of excitement in a public street these words were deliberately placed upon the Journals of the country. I find here a resolution moved by hon. Mr. Johnson the leader of the opposition in this house at a time when excitement ran high in consequence of the removal of certain magistrates, an extract from which reads as follows:

“And this House is of opinion that if such an exercise of executive administration should be vindicated the most sacred interests of society would be placed in the power of every corrupt and unscrupulous Government that could command a subservient majority in the Legislature, and the people of Nova Scotia being driven to desire some constitution better balanced and protected the connection between the Colony and the Parent State would be weakened and endangered.”

I can say more: I recollect, in 1849 when Canada was in rebellion when the Parliament buildings were burned, when the Governor General was hunted through the streets, there was a Journal in this town in the interest of gentlemen opposite that was so outspoken as to justify fully the persons who committed these deeds, and yet I never heard of any of them being arraigned here for using disloyal expressions. We have heard much about loyalty,—what makes it really? Is it not the institutions of a country? Deprive a people of that which they cherish and every freeman among them will desert those who do the deed. The Pro. Sec. made a great complaint about the reference to Canadian gold and talked about

bringing a member to the bar for having published that paragraph. He also more than insinuated that my friend Mr. Howe had been corrupted by American gold, and by implication myself also who he said was the mouth-piece of that gentleman in this house. This is the paragraph referred to by the Pro. Secretary.

“In the course of the Confederate Debate in the Canadian Assembly, last winter, the hon. George Brown referred to the large sum that was given for the purchase of the State of Louisiana, and suggested that the expenditure of as large or even a larger sum, in the purchase of the State of the Maritime Provinces, would be a profitable Canadian investment. Mr. Brown's hint, we have reason to believe, has not been lost sight of by the Confederates. Canadian gold, it is said is here, and in sufficient abundance to veritably corrupt the certain representatives of the people. The country has a sharp eye on the House just now, and will duly appreciate the sudden conversion of members, should any unhappy be found willing to accept the base bribe.”

I hold under my hand the language of hon. George Brown to which that paragraph refers and he says:

“He could not understand why we should hesitate about bringing in a million of people with a great country and great resources; we might as well hesitate about some petty all wance of money. There was no such instance in history he believed; other nations paid large sums for territory. Louisiana was bought for twenty millions of dollars. What would we not give for Maine or Michigan or Minnesota, which it was possible to pay. Others may be so glib to secure emigrants. We spent some \$25,000 per annum yet we heard peddling objections raised now in a union, to give us nearly a million of people and vast and rich territories; a few dollars for a few years ought not to stand in the way.”

Does any one need to be told that the meaning of this is that the secret service money of Canada, if required might be had? (Cries of Oh! oh! from government side of house.) Gentlemen need not be so excited, for I tell them that I had a conversation with Mr. Brown not very long ago, in which I was led to believe that if I would join the Confederates I might have had money, and place, and preferment in Canada as inducements to my supporting Confederation.

Hon. Prov. Sec. asked that Mr. Annand's words be taken down as he intended to test their accuracy by telegraphing to Mr. Brown immediately.

The SPEAKER said he could take down no words which were not unparliamentary.

Hon. PRO. SEC. said that he merely desired that no injustice be done to the hon. gentleman in the representation of his remarks.

MR. ANNAND continued:—My remarks I presume have been already taken down by the proper officer and it will be unnecessary for me to repeat them. The Pro. Sec. has referred to the action of Canada, but I do not wonder that the scheme was adopted by a two third vote in the Parliament of that Colony. We have been told that we extolled Mr. Smith as “an in-ornuptable patriot.” Whatever Mr. Smith's claims may be on the people of New Brunswick they appreciate them, and without wishing to say a word derogatory to the credit of the members of the learned profession here, I doubt that there is one of them who, when the office of Chief Justice was vacant, and when he was pressed by friends and foes to take the position,

would pass it by rather than leave the Legislature when the country needed his services. Few men would have made such a sacrifice as that at which the Provincial Secretary sneers. We have been asked "what corrupted the Admiral and the General or the city of Halifax?" I made no such charge against any of them. This city is largely in favour of Confederation, because they believe that they cannot get the railway without it. Then we have been told that we cannot get an expression of opinion from the country. Sir, I ask why not? It has been said that the question will be largely mixed up with others—with the question of education, the railway, retrenchment, and other subjects, but I maintain that there is a mode of getting the opinion of the people—the way in which their opinion was obtained upon the Municipal Corporation bill. In that case the vote was taken upon the measure alone, and such a vote would settle this question in a single day. It has been said also that our only object is to upset the Government, but I ask is it not patent to every man that if this agitation ceased to-morrow gentlemen opposite would not have the ghost of a chance of occupying their positions again. Let them open a single constituency and obtain a decision either on this question or on the general policy of the government, and that decision will be conclusive. These gentlemen know that their fate is sealed, and they are afraid to meet it—for this reason, as much as for any other has this matter been urged on us this session. The Prov. Sec. took great liberties with a friend of mine and with me, for he coupled my name with his as that gentleman's mouthpiece, in attributing base motives to him. It is said that when Mr. Howe's salary ceased he became an agitator from personal motives, but I happen to know that in taking this step he is incurring risks which few would run.—He holds letters from leading men in England recognizing his claims upon the consideration of the Imperial Government, and by the patriotic course he has taken he may have forfeited that consideration. I throw back then the foul insinuation that Mr. Howe has thrown himself into the scale because the inducements of salary have ceased. The Pro. Sec. spoke about "button-holing" and "sapping loyalty" in the same connection and this leads me to imagine another scene: I imagine a member of the House being sent for by a distinguished individual and being addressed in this language:—"my dear sir if you will only move a resolution in the Assembly asking the House to affirm the policy of union and leaving the details to be settled at the Colonial Office your services will be appreciated and recognized by Her Majesty's Government." I can imagine such an occurrence, and I can imagine the person thus addressed though a poor man, with a prospect of his fortune being thus made, rejecting the proposal. Yet we are told that we must not speak of corrupt influences. The Pro. Sec. gave us an argument the other day on the subject of an appeal to the people, he said it was our constitutional right to deal with the ques-

tion. We may have the abstract right to do so but I put it to them one and all when we were elected three years ago if members had told their constituents that they would if elected destroy the constitution of the country, how many of them would have been here? The trust reposed in them was for a very different purpose, it was that they should transact the public business according to the well understood wishes of their constituents. The opinions of Messrs. Howe, Young and Johnston have been referred to in this connection.—these gentlemen said that the proposition must be ratified by the legislature as of course it must, but will any man undertake to say that either of them dreamed of such a change being effected without an appeal to the people? I have too much confidence in the patriotism of one and all of them to believe that they ever entertained such an opinion. We have however pretty good authority for saying that the constitution should not be changed without submitting the scheme to the people. Mr. Archibald in course of his speech at Temperance Hall last winter said:

"It is for the people of Nova Scotia to ratify or reject what we have done. It will not promote their interests—if they believe the result will be injurious and not beneficial, let them reject it; but if they feel as we have felt that their future prosperity and happiness are identified with, and inseparable from Union—if the time is now come for it—let them be equal to the emergency; let them accept the position which we believe the progress of events and their own true interests render necessary for their future happiness and prosperity."

What did that language mean? Did it refer to this House or to the people? He knows he meant the people of the country. Mr. Tilley in addressing an audience at St. John, said:—

"It was not the intention of the Government of New Brunswick to force the matter upon the people. It was now before them, and he asked for a calm and candid consideration. He could assure them that if there is the least question as to the opinion of the people upon it, it shall be submitted to them at the polls."

That was the language of one of the most enlightened statesmen of British America,—he went to the people with this question, and went down gallantly defending his principles. Let me read the opinion of Hon. Mr. Dickey, another of the delegates.

These are surely pretty good authorities, for here we have three of those gentlemen who are now pressing the matter on us indorsing the opinions which we hold. I have another quotation to make on this point from an authority which the leader of the Government will not venture to challenge. It is from the speech of the Prov. Secretary at Kentville, in reply to a charge from me that at Windsor he had made a speech ignoring the people, where he denied that he ever entertained such an opinion, and said he recognized their full right in relation to the question; and yet we find him to-day bringing forward state arguments about the abstract right of this House to deal with the constitution.

"If the people's representatives are satisfied that the country is opposed to this Union they can reject it or they can obtain a dissolution by asking for it. No Government could prevent it. What w

wish is, to submit the broad question on broad grounds and leave its decision to the independent action of the Legislature. *No more groundless statements could be made than that there would be an attempt made to force this scheme upon the people. In the discharge of my public duty I have felt bound to go wherever I would and submit myself to the criticism of every man—to give all the information in my power—ready to submit as a member of the Government and as a public man of Nova Scotia, to what I believe to be the great fountain of authority—that is the clearly understood wishes of the people. I am quite certain that under the present Government and Parliament no measure will be ever passed that will be contrary to the public sentiment of the country.*"

Here then, you have the recorded opinions of the Delegates themselves, recognizing the right of the people to be consulted before such a radical change in the constitution of our country. And again, the Provincial Secretary recorded his opinion, and it was a sentiment one that the time of peace and prosperity is the time to consider a change in our institutions, and not when we know not at what hour our country may be invaded and our homes desolated:

"The people sent us together not to consider the means of aggression on the throne; but to enquire how far we could advance our interests in connection with the parent state, and they wisely sent us at a time (mark now!) when we were not convulsed by the throes of civil strife but when we could meet in the midst of peace and prosperity to consider the means of securing our privileges."

The House of Lords the other day refused to consider the state of affairs in Ireland because that country was in danger of civil war, and we have the authority upon this point of Earl Russell, who, at the time of the Crimean war abandoned his Reform Bill, and allowed it to slumber until now. These are the examples of the mother country, and they should challenge our admiration and respect. How can you ask the men of Shelburne and Yarmouth, knowing the strong opinions they hold, to rally with true enthusiasm and earnestness in defence of the country, when their most valued institutions are being swept away? The government in taking this course assume a fearful responsibility. Members may take this step but they will do an act bearing no example in the history of modern times, and they will leave behind them a riven and distracted country. If they borrowed lessons from the past, and looked at what has occurred in other countries, they would pause before they consummate the unholy deed. It is a serious thing to deprive a people of all the institutions they hold dear, and I trust that whatever the government may do in the matter—whatever the delegates to Quebec and their friends may do, I trust there will be found in this House a sufficient body of men, knowing as they must that nine-tenths of their constituents are opposed to the scheme, to stand by the rights of the country.

Mr. MILLER said:—I feel it a duty I owe to a gentleman occupying a high position in British America who is not here to defend himself, to give the version of the conversation referred to by Mr. Annand, as he stated it to me just after it took place. I do not desire to misrepresent the hon. member for East Halifax in a single word, and if, in what I am about

to say, I make a mistake, it will be an error of memory and nothing more. On the occasion of Mr. Brown's visit to this city, Mr. Annand and myself were requested to call and see him. Being very busy at the time I was not able to have that pleasure, and I could do no more than leave a card for him a short time before his departure from the city. The hon. gentleman did see him, and had, as he afterwards informed me, a long conversation with Mr. Brown. The hon. member (Mr. Annand) afterwards told me that they took up the question of Confederation, and that he beat Mr. Brown on every point of the argument. He informed me that Mr. Brown having been beaten on the argument of Confederation, and the mode of convincing him had used language something like this: "You and I have been personal friends, we have long acted together, and it is too bad that at this period I should be obliged to throw myself into the hands of our opponents to carry this measure; the Liberal party to which we both belong are going to rule, if the provinces are united." These remarks having no effect, he (Mr. Annand) told me that Mr. Brown then said that "the Maritime Provinces, during the present winter, failed to do anything to meet the views of the British Government on this question, Canada would seek some other mode of settling her difficulties, and leave the Maritime Provinces to their fate. At the conclusion of the conversation I understood the member for East Halifax to say that Mr. Brown used this language: "Annand, you should not oppose union; you have nothing to fear; a man of your ability would always have his proper position under Confederation." I will not deny that Mr. Annand remarked that he thought Mr. Brown's language held out an improper inducement to influence his action, but the words money, place or preferment were never mentioned by Mr. Annand to me, as I feel confident they would have been if they had been used. He would have been too glad to reveal anything of the kind to me if it were true. This was the extent of the conversation as the member for East Halifax detailed it to me. Mr. Brown first arguing the question of Confederation, then appealing to Mr. Annand's party feelings, and then using the words I have already given. Whether the inference which he has drawn from these expressions is a legitimate one, and whether he did or did not colour the facts in relating them to me, I am not prepared to say. But I will say the hon. member was disposed to make the most of Mr. Brown's remarks in his conversation with me. I feel bound to give this contradiction to the hon. member, in justice to an absent man.

Mr. ANNAND—I is unnecessary to say any thing more than that the hon. member has not stated correctly what I reported as having passed.

Hon. PROV. SEC. said he had to request, in accordance with a well known rule of Parliament, that the hon. member for East Halifax upon the table the letters which he read as a portion of his speech.

Mr. ANNAND contended that there was no such rule of Parliament, and that the chair had previously decided against such a demand.

The SPEAKER reserved his decision.

Hon. ATTY. GEN. gave notice that he would move a resolution compelling Mr. Annand to lay the papers on the table.

The house then adjourned to the following day at 8 o'clock.

SATURDAY, April 14th.

The house opened at 5 o'clock.

Mr. MILLER presented several petitions against Confederation, which he had sent to Richmond previous to the session, but which, he said, were meagrely signed.

Mr. LONGLEY, a petition for the separation of the sale of groceries from liquors.

Mr. BLANCHARD, a petition on the subject of Confederation.

Mr. TOBIN reported from the Railway Committee.

Hon. PROV. SECT. said:—I wish to call the attention of the house to the fact that on Friday the hon. member for East Halifax (Mr. Annand,) made a statement destructive of the character of a public man in British America of high standing, and I rose immediately to state that it was my intention to telegraph to Mr. Brown on the subject. My object at the time was to give the member for East Halifax an opportunity of correcting me if I misstated him. I at once telegraphed to Mr. Brown these words:—

To Hon. George Brown, M. P. P., Toronto:
Mr. Annand said, on the floor of the House to-day: 'I had an interview with the Hon. George Brown recently I could have had money if I had wished it, and was promised preferment and place in Canada if I would support an expedition.'

I will take my oath that this was the language that was used. Mr. Brown's answer is here before me. He says:—

"It is impossible Mr. Annand could have made such a statement. It is true that he called upon me at your house and we discussed the question of Confederation; but money, or preferment, or any other personal consideration was neither promised nor suggested, nor harboured in speech or thought by me.—The speech, however concocted, is a villainous falsehood."

(Cheers in the galleries.)

Mr. ANNAND.—In the first place, let me say—and I am in the judgment of my friends who heard me—that the word *money* never came out of my mouth. Let me state the facts. I was not offered money; I was not offered preferment directly, but the hon. member for Richmond has correctly stated the substance of the conversation. I was reminded by Mr. Brown that I belonged to the Old Liberal party, of which he had been for very many years the leader in Canada. I was approached by him in this way: "I have always sworn by the *Chronicle* and the *Nova Scotian*. We are all Liberals. They are in the ascendancy in Canada; they will also be in the ascendancy in Nova Scotia. Come up to Canada, and the Liberals will rule. It will be your interest to come."

Mr. MILLER.—It will be in the recollection of the house that the Provincial Secretary interrupted the hon. member, and asked that his words be given in writing, in order that there might be no misconception. Now, I not only hear the language read by the Prov. Secy., but the words as they fell from the hon. member.—

I was not allowed at the time to give the contradiction of the statement, but did so as soon as I could. Then I stated precisely what the hon. member has now said, and yet he replied: "All I have to say is, that the hon. gentleman is mistaken." Now he says—"it is true." If there is a man in Nova Scotia or British North America who, within the last ten days occupies a position that has drawn upon him the contempt and the pity of every one, it is the hon. member; but if there is anything that could add to his degradation, it is the humiliating spectacle which he presents to-day.

Mr. ANNAND.—The last person who should rise on the floors of this house and impeach the veracity of any hon. gentleman is the hon. member for Richmond. I have under my hand the evidence how little importance can be attached to anything he says. It will be in the recollection of the house that the hon. member for Inverness asked me, the other day, how the petitions I presented against Confederation got down into that county. I replied it was through the instrumentality of a gentleman who went over to the Government on Confederation. The hon. member for Richmond rose and said that he was no party to it. I hold in my hand this remarkable paper to show that the hon. gentleman was in favor of having the question referred to the polls, but what more? He came to my office to put into my hand this paper, and as he did so he said: "I don't want to be known in this matter; I don't wish to go into Inverness, as Mr. McDonnell is a friend of mine; will you send these petitions asking that the question of Confederation be submitted to the people at the polls?" These petitions were sent, and, as you have seen, have come back to the house. The hon. member, with the view of stimulating the people, wrote the paper which I hold in my hand, and I had it printed from his own manuscript. This circular that went with the petition, was as follows:—

"The necessity for petitioning against Confederation is greater this Session than ever. It is greatly to be feared that some underhand scheme is being matured to carry the measure. None of your representatives have publicly declared themselves against Confederation, although it is an error that two of them will oppose the Quebec scheme, while it is a matter of notoriety that the other is ready, if opportunity offers, to sacrifice his constituents. Inverness should, therefore, speak out to her representatives.—This is a question where no man should be allowed to stay on the fence. A member has no right to play fast and loose with his constituents on so great a question. He who is not heart and soul with us, is against us.—Petition strongly and quickly."

Mr. MILLER.—I think the hon. member will feel, before I sit down, that he has not made much out of the wonderful revelation he has just given. It is a matter of notoriety that up to a very recent period I was a determined opponent of the Quebec scheme, and on every occasion I did all I could to thwart it. But as respects the paper in question it was written weeks before the house met.

Mr. ANNAND.—No!

Mr. MILLER.—It was. I tell the hon. gentleman; it was written at the same time the petitions were sent into my own county that I pre-

sented to-day. I was prepared then as now, to defeat the Quebec scheme. Let me state to the house that a committee was appointed in the city to operate against the Quebec scheme; and at the last meeting, when it was wished to adopt a policy adverse to all union, I told them then that I would not assist them. My opposition was entirely to the Quebec scheme. It was then determined to send these petitions over the face of the country. I went to Lunenburg, and assisted in returning the gentleman who now sits here. In respect to the petitioners, I said I would send them into Richmond, but I would not interfere with Mr. McDonnell's county. I was going to write to Mr. McDonnell, but I heard he was coming up to Halifax. I then saw Mr. Annand, in his own office, and he suggested the very words that are written in the paper which he has just read.

Mr. ANNAND.—Oh! Oh!

Mr. MILLER.—It is true; it was at his own table they were suggested, and they were printed in his office. He presented, the other day, petitions from Dr. Cameron, which he had sent with his own frank.

Mr. ANNAND.—I did; at the hon. member's instance.

Mr. MILLER.—I denied at the time having sent these petitions, and yet he contradicted me; now he acknowledges having franked them.

HON. FIN. SECRETARY.—I must corroborate to the fullest extent the language taken down by the Provincial Secretary. I took the words down at the same time. The hon. member said—"I would have received money or office if I had wished it."

Mr. McDONNELL.—I also took the same words down.

Mr. MILLER.—The hon. member now stands convicted before the house and country of having uttered a "villainous falsehood."

Mr. LOCKE.—The word *money* never struck my ear. I heard preferment and place—that is all.

HON. ATTY. GENERAL.—Then the hon. member must have a deaf ear for some things.

C. J. CAMPBELL.—Was not the language read here in his presence, and he never contradicted it?

Mr. ANNAND.—Substantially it was the same statement made by the hon. member for Richmond. It differs, however, in the fact that Mr. Brown used the word *interest*. What is the difference between *interest* and *money*?

HON. ATTY. GEN.—The hon. gentleman first referred to Canadian gold, and then said he himself could have had money if he had wished it.

HON. PROV. SECY.—The present question is one of great importance, for it involves the character of a public man. The question came up in reference to a paragraph which the hon. member had put in his paper concerning some remarks on the sale of Louisiana, by Mr. Brown. That gentleman said, even if the Union of the Provinces did cost Canada something for a few years it was but a small matter in comparison with their value. The hon. member for Halifax knew that

he was guilty when he made the charge he did against Mr. Brown of the greatest crime of which a public man can be guilty—that of putting a false construction on the language of another, for the purpose of misleading the public mind. Mr. Brown said—suppose Canada has to contribute a few dollars more to the intercolonial union—what does it amount to? Look at the sale of Louisiana to the United States. The hon. member knows that this was a *bona fide* transaction; there was no secret service money connected with it. Mr. Brown is one of the most sagacious statesmen in British North America; but a man would be an idiot if he were to come forward on the present occasion and say—Canada was going to use secret service money for the acquisition of these Provinces. The hon. member must have known that he was putting a false estimate on the language of Mr. Brown. When he was met by a derisive cheer from this side of the house, he said that he had an interview with Mr. Brown, and followed that up with the declaration that he could have had money if he wished it,—that he was proffered place and preferment in Canada. Then I felt this was a grave charge, requiring investigation. All I can say is, if any one had attempted to bribe me, I would have felt that it would never do for me months afterwards to come forward and mention it. I knew enough of Mr. Brown to be aware that wherever he was known the charge would be scouted as too absurd. I read the words at the table, and stated my intention to telegraph them to Mr. Brown. He would not repeat the words, but said the official reporter had taken them down. I did all I could to enable him to correct me if I was wrong. He did nothing of the kind and therefore I telegraphed to Mr. Brown, whose answer is now before you. The country will now understand the value of charges of corruption coming from such a quarter. Now he comes forward and denies his own language, and gives the same version of the conversation with Mr. Brown that was given by Mr. Miller, and which he contradicted at the time.

Mr. ANNAND.—I will merely say to the Provincial Secretary that I have not backed down. What Mr. Brown stated to me made the impression upon my mind—that it was for my interest that I should join him and his friends in carrying on confederation.

HON. PRO. EC.—The hon. member only endorsed the statement made on Friday by the hon. member for Richmond. Under the circumstances not the slightest imputation can rest upon Mr. Brown's character. All that he said was, that a man of Mr. Annand's position ought to be able to make himself some standing in the Confederation. He would have as good a chance as any one else. Perhaps if Mr. Brown understood the talents or the position of the hon. member he would not have said so much. What would be thought of a hon. member who was going about day by day, and button-holing gentlemen, and telling them that the best way to get to Ottawa is by opposing the scheme of Confederation. Is that corruption? I do not think the hon. gentleman would like to say so!

Mr MILLER—The hon. member has brought two charges against my veracity. First, with regard to the conversation with Mr. Brown which he now admits to be substantially true. Secondly, with regard to the petitions which he presented here on the day I explained my position on the question. He accused me of having sent these particular petitions to Inverness, and I denied it on the instant. I never denied that I was a party to sending petitions through the country. He now admits that he sent and franked these petitions himself. Where, then, is his charge of want of veracity on either side?

Mr ANNAND—The hon. member was one of an organization in the city who unfortunately had too much confidence in him; for it now appears he was only there as a spy. On one occasion in the presence of some of the most influential merchants of the city, so inflated was he that he offered to take charge of the whole island of Cape Breton, and sent petitions to it. The hon. gentlemen told you that I, with my own stamp, sent these petitions to Dr. Cameron, but I did so at his request, because he said he did not wish to come into conflict with Mr. McDonnell. The hon. member thought so much of his own shillings and pence that he would not take his own stamps. The hon. gentleman said that I dictated the paper in question; but can you believe that a gentleman of his importance, who offered to take charge of the whole island of Cape Breton, would allow any one to dictate to him? All I can say is, the hon. member wrote it with his own hands.

Mr. TOBIN.—I think we have had about enough of these contradictions, and I do trust that a question of such importance as the present will be deliberately and calmly discussed.

Mr. MILLS.—I was the hon. member for East Halifax who brought the matter here, and he also is blameable for the discussion that has ensued. I thought, when the hon. gentleman got up, he was going to expose me but now I find that all he has done is to bring a charge of vanity against me.

Hon. ATTY GEN.—I recollect distinctly yesterday when the hon. member for Richmond gave the version of the conversation with Mr. Brown, the hon. member for East Halifax got up and contradicted it; now he says it is substantially the same version. But we all know the hon. gentleman's speech was not intended for this house. The object was to irritate the public mind of this country.

A good deal of further desultory conversation ensued, which it is impossible to give in *extenso*.

Mr. BLACKWOOD thought every gentleman should be only held responsible for the opinions he held and expressed himself.

Mr. LOCKE said that the country had not petitioned very actively during the present session, inasmuch as the impression prevailed that the question of Union would not come up.

Hon. PROV. SEC said that he was prepared by the most conclusive evidence to prove that the whole effect of the policy of the Anti-Union party was to annex us to the American

States. He then went on to say that they dared not send petitions to the country against all Union, for they knew that the Union sentiment among the intelligent masses was very strong. All that they could do was to get signatures of petitions taking objections to certain features of the Quebec scheme. Yet despite the efforts made by the wealthy and powerful Anti-Union organization in this city, only about 15000 names of men, women and children, could be got last year in the whole province. He had himself in a few weeks, some years ago, got 25000 persons to petition for a matter of comparatively small importance, namely a dissolution of the Assembly. Now another year had passed, and despite all the agitation in the press and otherwise, only four or five thousand petitioners appeared in opposition—not to Union, but to some details of the Quebec scheme. Now when the opponents of that scheme came forward and offered to meet the friends of Union half way, it was the duty of the latter to consent, in view of the prevalent sentiment of the country. He had heard from Annapolis and the Western counties and was proud to be able to say that the course the government wished to pursue in respect to Union met with the enthusiastic approval of the people.

Mr. LOCKE said that the government had appealed to three constituencies since the question of Confederation came up, and had lost them. If the hon. Provincial Secretary was convinced that the people were not opposed to Union why did not he dissolve and appeal to them.

Mr. BLANCHARD said that the house had heard the way the petitions against Confederation got into the country, and yet despite all the efforts that had been made, only a few hundred names had been received from Inverness with a population of 20 000 people.

Mr. KILLAM said that the people of Yarmouth were against confederation. He knew that the people of Digby were also opposed to Union. He presumed when the vote was taken, the members of that county would act in accordance with the sentiments of their constituents.

Hon. ATTY GEN. said that no gentleman in favour of Annexation would be expected to favour Confederation.

Mr. ROSS said that it had been understood in Victoria that the question of Confederation would not come up this session, and therefore it was not thought necessary to get up petitions. The best way to test the feeling of the people would be to appeal to them.

Hon. PROV. SEC said that the election in Annapolis was not decided on the Confederation scheme. The Dalhousie College question, the Picou Railway and the School Bill were the questions that influenced the election. The Quebec scheme had only just been propounded when the election was over, and was not one of the issues. Not one word was said about it on the hustings. At a public meeting subsequently held in that county where he had been present, the Anti-Unionists could not pass a resolution against Union. Again in the shiretown the only resolution passed was one of thanks to himself.

for being present and giving so much information on the subject. As respects Lunenburg he believed if it were not for the Education Measure he could have brought in a government candidate pledged to support a Union of the Colonies. As respects the other county mentioned the hon. member for Yarmouth (Mr Killam) could not get his own candidate in, and Mr. Townsend had been returned. He (Dr T) believed that Yarmouth might be considered opposed to Union, but every one knew what was the ruling sentiment in that county. At a meeting held in that county for the purpose of sending delegates to the Detroit Convention, leading men came forward with the hon. gentleman for Yarmouth and declared that if the treaty were abrogated the sooner Nova Scotia was annexed to the United States the better. He was informed that the other hon. member (Mr. Townsend) stood up manfully, and said they ought to be ashamed. Under such circumstances it was not strange that a portion of the county of Yarmouth opposed the Union of the Colonies.

Mr. COLIN CAMPBELL said that the hon. member for Yarmouth would know the sentiments of the representatives of the county of Digby at the proper time. They were prepared to assume themselves the responsibility of dealing with the question in that spirit and manner that would best advance the interests of the country.

Mr. KILLAM said that he would deal with the question of Confederation at the proper time. He had not attempted to influence the constituency against Mr. Townsend. He was not aware that any opinions in respect to annexation had been mentioned in the meeting referred to.

Mr. HATFIELD regretted that so much time had been wasted that might be more profitably employed.

Mr. McLELAN said that he believed the effect of Confederation would be to annex the Provinces to the United States.

Mr. C. J. CAMPBELL presented a petition from H. Cameron and others against Confederation. The subject then dropped.

Mr. WHITMAN introduced a bill to legalize assessment rolls of the county of Annapolis.

The house then adjourned.

MONDAY, April 16.

The House met at 3 o'clock.

Mr. BOURNOUT introduced a bill to incorporate the Myra Bay Harbor Company.

Mr. S. CAMPBELL presented a petition for the alteration of a mail route.

Also, two petitions against Confederation.

Mr. PRYOR reported favorably on a number of bills from the committee on private and local bills, and unfavorably of the bill relative to the erection of a lock-up at Waverly these objections being already provided for by existing statutes.

Hon. PROV. SEC. laid on the table a report of the officer commanding H. M. S. *Lilly* in reference to the fog trumpet at Sambro.

UNION OF THE COLONIES.

The adjourned debate was resumed.

Mr. C. J. CAMPBELL said: The Provincial Secretary told us, some days ago, that the Government were awaiting the action of New Brunswick on the question of Confederation. I do not think that this Province should place itself in that position. Nova Scotia is the most important of the Maritime Provinces, and I do not see why we should wait for others to lead us on this important question. It is the duty of the Government and of this Legislature to take a leading part in the discussion of this measure. When the question was introduced a year or two ago, much diversity of opinion existed as to the details which had been arranged at Quebec, and matters stood in a different light from that in which they now appear. At that time we looked forward to peace and tranquillity with the United States; we had free trade with that country. But how has the aspect changed since then. We do not stand in the same position as we stood in six months ago. The United States have shewn every disposition to annex these Provinces, and have shewn a determination to punish us by every means in their power. Besides that, we have been threatened with an invasion and it becomes our duty to come forward like loyal citizens and to unite ourselves for purposes of defence. There are sentiments in this Assembly favorable to annexation, and if the country were informed of the fact those sentiments would be hooded at from one end of Nova Scotia to the other. Whatever objections the people entertained to the Quebec scheme twelve months ago matters have entirely changed. There is not a man in my County who is not loyal to the heart and who would not consent to any scheme that would save us from annexation or from invasion. Mr. ANNAND told us that two years ago the country was calm, so it was; the dangers of today were then far in the distance and the people felt at liberty to discuss the minor points of the scheme of union, and to thwart the government from motives of self interest, but the aspect has greatly changed. All the trifling disputes which have engaged our attention should be at once buried before the great object of maintaining British connection. The advice of the British Government and press should lead us to look forward to the time when we shall become an ally instead of Colonies of Great Britain, — that is the proud position which many of us have looked forward ever since we came to the country. Can any one pretend to say that Great Britain would allow us to annex ourselves to the United States when the Government of that country are threatening her in every possible manner? Would the mother country part with all the resources at her command in this Province, and a low then to be handed over to her bitter enemy? The idea is preposterous. Mr. ANNAND has told us that the Railway should precede the union — that might be an advantage, but he knows that though that matter has been agitated for ten or twelve years we have failed in obtaining the road. It is quite evident that we cannot have these advantages

without union. He then proposes a delegation from the Maritime Provinces to agree on a platform before submitting the matter to the British Government, but such a course I do not consider wise. I may say that I had objections to the Quebec scheme; but when the great necessities to which I have referred arose, these objections vanished like smoke. Before knowing the wish of the British government, I had objections to the details of that scheme, but knowing now the opinions they entertain and the offers held out to us of becoming a nationality as soon as we are able to protect ourselves, these objections have been overcome. How does the matter stand now? To obviate any objections existing it is proposed to submit the whole matter to the mother country to arbitrate between the Provinces and to form a scheme equitable to all parties. The proposition of Mr. Annand seems to me, as I have said, objectionable and would only have the effect of deferring the object in view. The scheme has been before the country for two years, and if we are to come to a decision at all it is time we should do so now. The plan proposed in the resolution appears to me to be unobjectionable while the Opposition appears in a great strait to make any suggestion, and as a last resort have proposed representation in the Imperial Parliament. The idea of such a representation I consider ridiculous. If it were granted to Nova Scotia it would have to be done to all the other Colonies, and the Crystal Palace would not be large enough to hold the Parliament. That plan was proposed ten years ago by the hon. member's order, but it fell to the ground without much attention being paid to it. Looking at the Lower Provinces, it will be seen how subject they are to an attack from the United States; and it has been the policy of that country to thwart the proposed union in order that we may be more willing to annex. It has been proved by history that small countries are always swallowed up by the larger. At this moment it is not improbable that the United States would negotiate with Nova Scotia for admitting her fish and coal trade, and the good feeling between this Province and Canada would be thereby destroyed and variances in interest and feeling created. One after another of the Colonies would by that policy be made willing to be annexed on such terms as the United States would dictate. The conduct of some members of the House appears childish in the extreme—one day they advocate sending to Great Britain for ships and men to protect our fisheries, and the next day they oppose with all their might the proposition to pay any regard to the wishes of the Government to which we send for aid. My colleague urged the Government to send vessels to protect the fisheries on the Cape Breton Coast while at the same time he is a strong opponent of Union. What do we see every day? War ships, guns, and ammunition gathering round to protect us without the cost to us of a shilling, and at the same time we presume to set at defiance the demands of that Government, which gives us these means of self-protection, that we should unite for

defence. If we are able to defend ourselves without the assistance of Great Britain, let us say so; but if we are not, let us concede what the mother country desires. Going along the dock the other day, I looked at our Provincial navy, and the whole affair seemed utterly contemptible. There was the *Daring*, with a two-pounder to protect our harbours and fisheries, and yet we felt quite conceited and clamour against Confederation. My idea is, that instead of awaiting the action of New Brunswick, we should take the lead. Ours is the most populous Province of the two and should set the example. I think the country should be made aware of the principles of those members who oppose the measure. The hon. gentleman, whose name has been introduced into the discussion, ever since his return, has been boldly proclaiming annexation sentiments in the streets and in the lobby of the House. Gentlemen holding such views are getting more and more bold. The history of small countries has been that from animosities they have been set to fight against each other until they have been so weakened as to be unable to present a front to the common enemy. So it will be with us if we do not take steps to strengthen ourselves and to become one people. As I have already said, I think the Government should take such steps as will shew the other Provinces that we are not backward in this matter.

SPEECH OF MR. LOCKE.

MR. LOCKE said:—It was correctly remarked the other day that the opponents of Confederation are in an unfortunate position in having nine lawyers and a doctor worth three more, opposed to us. We cannot be expected to exhibit the same ability that will be displayed upon the other side, but we stand here backed by the strong opinions of our constituents.—Those opinions we believe to be correct and sound, and we feel that the principles which we maintain are correct. This is a question of the deepest moment to the country, we are bartering away our rights and privileges if we hand over this fine Province of ours to Canada, and I feel disposed to say,

"Breathes there a man with soul so dead,

Who never to himself hath said,

This is my own my native land."

In adopting this scheme we are giving our country to Canada to be swallowed up with grand schemes and projects of aggrandisement, to a colony not only disloyal. Coming as I do from a county whose inhabitants have come from loyalist stock, a country settled by men who have sacrificed their best interests for the sake of British connection, I feel at liberty to express my opinion freely and without fear of the charge of disloyalty. The question of Confederation has been before the country now for two years, and its aspect has recently been materially changed. What brought about this change? We saw gentlemen on both sides of the House last Session exceedingly hostile to the scheme, but a change has come over the spirit of their dreams. We had the hon. member for Richmond advocating one side of the question with all the eloquence at his command, we had the member for Lunenburg, Mr. McDoull, taking the same side with the

same ability, and all at once these gentlemen rise and propose that another scheme be resorted to and state that circumstances lead to the belief that a better scheme can be procured. I ask, then, what has brought about this change? The Prov. Secretary spoke of influences, had we not every reason to suppose that influences were at work? What these influences were it was not our business to enquire, but the suddenness of the change shewed that there were such and that they were of a strong kind. Three months ago these gentlemen were denouncing the Quebec scheme, and now they come forward and advocate a new delegation, although we know to a certainty that the new scheme will be the Quebec scheme; there may be slight variations, but in the main and substantial particulars it will be the same. Loyalty to the Crown, it has been said, requires that we should Confederates, because the Lieut. Governor has been sent here expressly to carry the measure out. No remarks in reference to that officer will be construed, I suppose, into disloyalty to the Queen, and when the Prov. Secretary spoke about the scheme being urged upon us by such impressiveness as Royal lips alone could evince, and by his mention of the appointment of Sir W. F. Williams to carry it out he invited comment. If it be declared to be disloyal to refer to the action of the Governor I will ask the House to let me refer to 1861 when an election was being run in Victoria County. In the Prov. Secretary's own organ I find this language; and although I quote from a paper that was particularly under his direction, and the very style cannot be mistaken, as he used the same or nearly the same words on the floor of the House:—

“Taking into account the position of the Government and the unscrupulous means resorted to by them we can scarcely imagine the possibility of Mr. Campbell being elected. It is now understood that Lord Mulgrave made it an express condition with the usurpers that Mr. Campbell must be unseated and Victoria carried or he would be compelled in his own defence to dissolve the Assembly.” And further on he says: “Mr. Hugh Munroe was allowed by Lord Mulgrave to abandon the important duties of his office as Chairman of the Board of Works and head of the Lunatic Asylum, in order to take part in an election struggle, contrary to the spirit of the law and policy of the legislature who had removed that officer from politics. The Governor and Government having thus combined against the liberties of the people and determined to obtain a supporter from Victoria, it is not to be supposed that any means would be left untried.” He ends by saying: “If there be any man in Nova Scotia who doubts the completely partizan character of the Lieut. Governor let him ponder upon these two recent outrages for which Lord Mulgrave is directly responsible. Sending the Chairman of the Board of Works and the Chairmen of other Counties to aid the Government in the Victoria Election.” In another issue of the paper he says: “That the Chairman of the Board of Works, who could not leave the important duties of his office without the leave of Lord Mulgrave, was immediately despatched with £400 a year of the people's money in his pocket to aid the Queen's Printer who carried the bag in the Cumberland Election in

corrupting and intimidating the Electors of Victoria. We venture to assert that the history of the Colonies will be perused in vain to discover such daring innovations of the liberties of the people by any Governor. Does Lord Mulgrave think the free spirit of Nova Scotia is to be trampled out by means so flagitious and corrupt?”

If it is not treasonable language to be used towards a Governor, then nothing that has been said in this debate can be considered so. Mr. Mulgrave has taken strong grounds, as we believe against the interests of this country, and in declaring a Governor expressly to carry out the scheme of Confederation, we have every right to believe that Her Majesty's Government are working against our interest. There is no big disloyalty in that statement, because it is well understood the Queen can do no wrong, her Ministers being responsible. I may say that it is because I believe that this scheme of annexation to Canada will drive us into annexation to the United States that I oppose it. What are the antecedents of Canada? One of the gentlemen taking a leading part in the movement, one who has lectured in various places on the subject of union, is well known to have been an Irish rebel. Many of the leading men of Canada have stood in the same position, in their conduct during the Canadian rebellion. These are the people with whom we are asked to confederate. If we yield, their Orange and Ribbon Societies and other such principles will circulate amongst us, and we would become equally disloyal, then, annexation is to be brought about, would it not be better to go in at once to the American Union?

Because we would thus obtain all the advantages of a separate State, while if Confederation goes on probably in a few years more we will have to go in as a mere County of Canada. It is said that trade relations are an inducement, but why cannot we obtain them without a political union? The mother Canada finds it necessary to have free trade with this Colony, she will consent to the arrangements being made, it being a sound principle that trade regulates itself. What will the position of our credit be if we unite? At this day our bonds stand higher in the market than those of Canada. Confederation with Canada, and let her carry on her canals and other works, and through the means of her large debt and great expenditure her bonds will go down and ours with them, we being a part and portion of the country. By a political union we must be absorbed and swallowed up. We will lose our identity and be subject to their will. It is well known that Nova Scotia stood by the Crown during the American rebellion. Nova Scotia was loyal then and is now, and by uniting herself to such a country as Canada she will gain nothing. We have enjoyed a Parliament of our own for a hundred years, with all the privileges that a free people could ask; we have gone on progressing, and after obtaining responsible Government we have become so free that we require nothing more in the way of independence. What will the people say to this Parliament being taken from them? We may be told that the

local legislatures will remain but who can tell us anything of their formation? I presume that nothing that we can urge will prevent the adoption of the scheme but I contend that it would be unfair for the British government to adopt such a measure without the sanction of our people. In connection with this subject I will quote from the *London Review* of March 17th:—

THE RECALL OF SIR CHARLES DARLING.—Mr. Cardwell has found it necessary to recall Sir Charles Darling, the Governor of the colony of Victoria, and we think it will be generally admitted that he has not taken this step on insufficient grounds. It will be in the recollection of our readers that the two branches of the Legislature of the colony came into conflict upon the financial schemes of the Government for the time being. The Lower House passed, the Upper House it was known would reject, the budget. In order to surmount this difficulty, the Appropriation Bill was tacked to the Bill imposing new customs duties. The Legislative Council was thus presented with the alternative of submitting to the dictation of the House of Assembly, or of leaving the Government without any legal power to levy taxes or to defray expenses; but, eventually, they chose the latter course, as they had a perfect right to do. Pressed by the difficulties of their situation, the Colonial Ministry, thereupon, resorted to more than one irregular and illegal means of raising the wind. It was clearly the duty of Sir Charles Darling, as the representative of the Queen, to refuse his sanction to acts of such a character. But he not only gave his cordial and earnest support to the politicians who were violating the Constitution, he did something even still more objectionable. Commenting on a despatch to the Colonial Secretary upon an address from the Legislative Council, he took it upon himself to express a hope that the gentlemen who had signed it would never be designated for the position of confidential advisers to the Crown, because it is "impossible that their advice could be received with any other feelings than those of doubt and distrust." When a Governor thus converts himself into a partisan, and descends from his constitutional eminence as the representative of the Crown, to participate in the party conflicts of the colony placed under his rule, it is clear that he can no longer discharge his delicate and dignified duties with success. His usefulness is at an end, and nothing remains but to replace him by some one who can maintain with greater firmness a position of impartiality, and can hold himself aloof with greater self-command from the excited passions which it is his duty to moderate. In a despatch of stinging but well-merited rebuke, Mr. Cardwell has insisted upon these obvious considerations, and has relieved Sir Charles Darling from the further exercise of functions which he has so grievously abused.—*London Review*, March 17.

The cases it may be said are not exactly similar because that governor went into opposition to the legislature of the Colony but our Lieut Governor knows from the petitions that have been presented that the feeling of the country is against the scheme, and that if members would but rise and express the views of their constituents they would be found in opposition to the measure. Mr. Cardwell

should surely stay his hand before giving his assistance to the completion of the union under these circumstances. I will now read from the *New York Tribune* a paper well known to be thorough and although published on this side of the Atlantic:—

REMOVAL OF A COLONIAL GOVERNOR.—Careless observers of the working of British institutions have been in the habit of assuming that the Imperial Government desired above all things to maintain its own supremacy in remote settlements, and that it is always disposed to back up its own local representative. These erroneous impressions may perhaps have been partially disturbed by the strange spectacle lately patent in Jamaica; and they will receive another rude shock in the news that has just reached us from Downing Street. Mr. Cardwell, the Colonial Secretary, has advised the Queen to recall Sir Charles Darling, some time Governor of the Colony of Victoria. The circumstances of the quarrel that arose between the House of Assembly and the Legislative Council, in which quarrel Sir Charles interfered injudiciously, or illegally, or both, are detailed in extracts from London papers cited above. We have only to add that Mr. Cardwell's despatch, displacing the Governor, most emphatically insists upon the determination of the Colonial Office at home to leave the Colonists to manage their own affairs, and points out most cogently the great blunder of the Governor in identifying himself irremediably with any political parties. The despatch, we doubt not, will cause a flutter among the occupants of high places. For us, it has but a partial interest; because we knew well beforehand that British statesmen, one and all, have long since abandoned the idea of ruling freemen by edicts from home. If Jamaica be under the present melancholy state of things, an exception to this rule, it is because the free Blacks have shown themselves unworthy of free Government.

When the Lieut. Governor ventures to carry out any scheme of union in opposition to the wishes of the people he identifies himself improperly with a party. This House is elected to legislate according to the well understood wishes of the people, and this particular scheme, changing the constitution, it was never empowered to carry out. In adopting the scheme we do not carry out those wishes, and if the people had the opportunity of expressing their views they would return such a majority that twelve members would not be found to support the scheme. The Prov. Sec. said that it had been used as an argument on our side, in other places, that if this scheme were carried out not one of its supporters would get a seat at Ottawa. This I think very probable, but it makes our prospects still more unfavorable. We have in this House supporting Confederation a set of trained politicians. If these gentlemen went to the hustings, in all probability they would be rejected, and this would be a positive loss to the country. You would then have a new set of men meeting more astute statesmen, and the interests of the country would be insecure. I assure the Prov. Secretary of these facts for his own interest; and while I might consider that he would be no loss to us, we have men who have heretofore acted with and led us to care for the true

interests of the country, who would be. Taking the first view of the question which I took—that annexation to the United States will follow annexation to Canada, it will be seen that we are doing a positive injury to Great Britain by confederating, because the moment she loses her Colonies England must become a second or third rate power. It will be recollected that the celebrated “Junius” said in one of his letters, “The feathers which adorn the royal bird support its flight;” strip it of its plumage and you fix it to the earth.” The moment you take away the Colonies from Great Britain the feathers which support her flight are taken away, and she ceases to be a first rate power. As loyal men, we should stand by our country in this emergency. It is not certain that New Brunswick will fall in with the scheme. A telegram informs us that a majority of the Assembly will move for the recall of the Governor and that will postpone Confederation for some time. It seems to me that the Government are too hot and too hasty in this matter. Give us time to consider the question. I do not ask them to dissolve and go to the country, but I think we should have the chances of one year more to see if the people will be indoctrinated into favouring the measure, not that I expect them to willingly favor such a union, for I want none, we are prosperous and happy as we are. I ask the House not to agree to the proposed delegation, for we very well know that the delegates will come back with the Quebec scheme. Mr. Cardwell having taken a decided stand in its favor. I, therefore, call upon the government to stay their hand and to give the country time to consider what is the best course to pursue. But if this new scheme to send a delegation to England to settle terms of union there, should be carried in this House, I would demand as a right of the people of this Province, that after terms being agreed upon by the British Government and the delegates, that it should be referred back to this people for their sanction. If any other course be pursued, you trifles with the liberties and privileges of a free people in bartering them away without giving them a voice in the matter, and the consequences, be what they may, will rest upon the men who have so acted.

SPEECH OF MR. BLANCHARD.

MR. BLANCHARD said:—The hon. member who has just sat down has very forcibly expressed the opinion that this is one of the greatest questions ever presented for our consideration; and I feel that I approach it under no ordinary responsibilities, and with the conviction that I am dealing with the great interests of the Province of Nova Scotia. We have been told by that hon. gentleman that in favor of Confederation are arrayed the chief legal talent and nearly all the trained politicians of the country. I consider this a strong argument in favor of Confederation that the trained politicians of all the Provinces—the men who are accustomed to look at great questions and to judge of them, have deliberately made up their minds that the scheme of Union is favorable to the interests of the Province and to our connection with the British Crown. Let us look at any of the deliberative assemblies, and will we not find that when the leading men

adopt any particular view of a question, in nine hundred and ninety-nine cases out of a thousand they are right. I might refer to a great variety of instances in support of this position. In the history of Pitt it is seen that in some cases Fox, Burke, and Sheridan, his greatest adversaries, were found coinciding with him, and history proves that in all such cases they were right. I do not think the hon. member did justice to himself in saying that the trained politicians were all on one side, for his speech showed an amount of eloquence and research seldom exhibited on such occasions. That we have nine lawyers upon this side of the question is true; but I claim that we occupy the right position, and one which many of the lay members of the house will willingly endorse.—The hon. member for Shelburne also told us that he represented a people truly loyal, the descendants of those who sacrificed much for their principles and for their attachment to the mother country. Sir, I yield to no man in the loyalty of myself or of my constituents. I too am a descendant of a loyalist who sacrificed as much for his loyalty as any of the men who came to Shelburne at that time; nineteenth-twentieths of those whom I represent are Scotchmen, and what race have done and suffered so much for their country, and where do you find patriotism if not among them? It has been said that there are influences at work in reference to this question. Sir they have no effect upon me. My friend can say nothing to me upon that score. My position has all along been different from that of those who actively opposed the measure and who, I presume, are prepared to give good reasons for their change of mind. I feel that I am not called on, nor would it be advisable that I should go into a discussion of the merits of the scheme recently submitted to the country or of its details. That theme has been exhausted, and there will be little effort on my part to crush down the opposition to confederation. I do not therefore intend to discuss the details of the question, but to explain the position which I occupy, which is very different from that of many gentlemen around me. I have felt that the question should be approached with great care. I have felt it my duty as a representative of the people seriously to weigh it before coming to a conclusion, and no man can say that, up to this time, I am bound by any pledges or promises to take any particular position. We have heard about “traitors” and “treachery,” and “Canadian gold;” I feel it is hardly worth while for me to contradict the statements upon these subjects as far as I am concerned. I have not come from a school of traitors, and the reproach cannot fall upon me. I regret that I am called upon in connection with this subject, to differ from some of my friends, and I regret that personal recriminations, private conversations, have been introduced into this discussion. This is a matter which ought to be discussed calmly, and with- out temper. We live in an age in which progress is not to be measured as it once was, it is exceedingly rapid at the present day, and men live more in one year now than they formerly lived in twenty. Changes are rapidly approaching, and it is now our duty to look them fairly in the face, and honestly to consider the probable future. The question before the house

is, in my opinion, whether we shall unite with the adjoining colonies or remain disunited, and isolated with the chances of annexation. Mr. Locke has said that Confederation will lead to the latter—if he could convince me of that he would find an opponent of the measure as determined as any man in this country, but I support it because I feel and believe, and am convinced in my heart and conscience that if we remain as we are the time will soon come when we will be absorbed into the American Republic. My hon. friend from Halifax, who is leading the present opposition, published that which met my approbation a short time ago, when he declared that a change was approaching, that something must be done, that this country could not remain as it was, and that our future must be looked in the face. I felt and still feel that these were the words of truth and soberness, and I believe that unless these Colonies proceed to Confederate we cannot long continue dependencies of the British Crown. What has occurred since last session? When the friends of the measure stated last year that they believed that the Reciprocity Treaty was about to be abrogated we were told that this was nonsense, that American interests were too deeply concerned, and that they valued reciprocity as much as we—yet have we not seen it come to pass in the teeth of offers, on the part of our government, such as none of us would have thought of making a few years ago, and such as few men in this country would be disposed to concur in. So determined were the Americans to abolish that treaty that not only were the arguments of our delegates treated with disdain, but afterwards, when a bill was brought into Senate in connection with the subject, containing propositions that would be indignantly refused here, they refused to receive it. Why did they refuse such a measure introduced by their leading minds, and approved by Mr. Morrill? What answer do their leading orans give to the question? They tell us that it was because they expect soon to be able to annex these Colonies,—that without free trade with them we cannot exist, and that we will soon be glad to seek for admission to the Union. The paid officer of the American Government in reporting on this question broadly put to the government and Senate that the only alternatives were reciprocity or absorption, and while declaring that reciprocity was beneficial to them—yet advised its refusal as favourable to Annexation. They have refused to renew that treaty influenced by these motives. It has been said that the United States have no desire to annex these Colonies. Can we believe such a statement? Look at our fisheries at our mineral resources, at the extent of our wood lands and can we imagine that they are not most anxious to possess these Provinces, and especially Nova Scotia. I feel, therefore, in looking at the question, and for other reasons not necessary to mention, that without confederation annexation is before us. The abrogation of the treaty gives its origin to the desire of the American people to bring us within their borders, and I am firmly and honestly convinced that it is my duty to say to my constituents and to the people of Nova Scotia that I am willing to do anything—to resort to almost any measure rather than run the risk of such a

consequence as that. I do not mean to say by this that the scheme before us will not be very beneficial to the people of this country. My own opinions have undergone no change on this subject, but I have resolved to take this bold and straightforward stand—to declare that we should confederate, and that we should do it now because I feel that the step is demanded by the exigencies which surround us. I trust in God that I may never live to see the Stars and Stripes floating over Citadel Hill.—I trust that before we are annexed I and my children shall have gone to the land of the shades, and that not one of us may be left to see our country in such a position. We have been told by the gentleman who preceeded me that Confederation would weaken the ties that bind us to the parent state,—but have we its subordinate officers, and the press of that not the government of Great Britain and all country, and among ourselves our best minds, lay and clerical, urging it on us. Do they look favourably on the scheme because they believe it will weaken the ties that bind us to them? I was sorry to hear one member say that the English people would be glad to be rid of us; I do not believe that such a feeling exists in Great Britain, nor that with few exceptions there are any men in Great Britain willing or anxious to part with us. The only real question remaining in my mind is whether an appeal to the people should not have been had. It was suggested by Mr. Annand that the people be called on to vote on the question of Confederation alone, but I cannot think that he seriously proposed that we should do what no British country ever did before—resort to a *plebiscite* on this question.

Mr. S. CAMPBELL—It has been done in Nova Scotia.

Mr. BLANCHARD continued:—This reference is to the vote taken upon the Municipal Corporations' bill, but this was simply as to the adoption in each county of a purely local measure; but did any one ever hear of a question of Colonial policy being so submitted? That precedent is no parallel to this case, and I challenge gentlemen who take that side of the question to lay their hands upon any case in which a question of this kind was sent in that way to the people. If such a mode is un-British, un-English, and unreliable, how are we to adopt it? What are we to depend on for the decision? We recently took away from a large portion of the people the electoral franchise, are we to send this question to the electors, or to the whole people, and under what regulations? We have heard a good deal about appeals to the people, and I would like to look back at the history of this country to shew, as I believe I can, that such an appeal is not desirable or necessary. What did we do a few years ago? We passed a bill by which the franchise was nearly doubled in the numbers of the persons called on to exercise it; and is not the franchise the source of all right and power? Did the opponents of that measure ask an appeal to the people? Not at all. Afterwards the suffrage was still further extended and made almost universal without a word about appeals to the people. Not long ago, when Mr. Johnston was in power he introduced a bill altering to a large extent, the franchise and re-distributing the

seats; did his worst opponent say anything then about an appeal to the people? No, the whole matter was discussed without such a question being raised. If, when I quote the acts of the conservative party, I am met with the answer from gentlemen on this side that this is poor authority, I ask did we (the liberal party) not within a short time, feeling that the franchise was too extensive, and that the time had come when the property of the country should be represented by the property holders, pass a bill striking down one-third, if not one half of the electors. There was no appeal to the people in that case, this house did not ask it, although it was sought by a gentleman in the Upper House. Am I not therefore acting in accordance with the policy of my party, who maintained that the people were here represented by their representatives?—Let me come now to another time. Had we not in 1864 a resolution brought into the legislature, by the leading minds upon both sides, for the Union of the Maritime Provinces? Not to confederate them, but to unite them under one government and legislature. Was anything said about an appeal to the people then? No; it was said that the delegates should return, in order that we, the legislature, might ratify their arrangements. I ask the house whether or not, if the legislature of the different Colonies had accepted a scheme of legislative union of the Maritime Provinces, there would have been an appeal to the people? We have heard about traitors to the country, and traitors to the party. We are told that the Liberal party are opposed to the scheme, and my position is not at all agreeable to my friends who sit beside me, or to myself, in separating from them. I got my liberalism very early: I drew it with my earliest breath and learned its principles at the feet of such men as Dr. McCulloch and Jotham Blanchard; and I claim to have been as consistent a member of that party as any one in Nova Scotia, here or elsewhere. What was the watchword of that party? They have always claimed as their watchword, Reform and Progress,—and that this movement is a progressive one, I firmly believe. This is a measure of progress, and if opposition was to be expected, we had little reason to look for it among the Liberals of the country. I feel that I have not forsaken Liberal principles and that it would be as hard to do so as for the "Ethiopian to change his skin or the leopard his spots." I feel that I am where I ought to be and where I wish every liberal in the country was following our principles to their legitimate end, going forward and not adhering to the old fogy and tory principles of keeping every thing in the old position without making an advance, and opposing every change, just because it is change. As I said, I was brought up a liberal, as I advanced in life I surpassed the leaders of the liberal party. When I first came into this house, under a good deal of opposition and trial, I sustained William Young and Joseph Howe in their principles, and if I am to be told that I am deserting the party now I reply that I do not feel ashamed to follow the liberal *par excellence* of British America, the hon. George Brown and Mr. Tully of New Brunswick, men who are liberals to the heart's core, men who have long fought for the principles of their party,

and under their flag and in their ranks I am not ashamed to stand. Coming home I ask whether when I am in association with the leader of the opposition in this House and in the other, and assisting in carrying forward the question so long and so on proposed by the liberal party of this country, I am not where a liberal would be found. It was not my intention to address the house at length, and I will not continue longer. The principles which I now maintain are those of the party of progress; we have with us the young men of Nova Scotia, who are identified with its future progress—the best and most intelligent men in all the provinces, and all who look forward to being not merely Nova Scotians, Canadians, or New Brunswickers, but citizens of British North America, and all who desire to see our country occupying her true position. With their assistance these objects must be soon attained.

REMARKS OF MR. TOWNSEND.

Mr. TOWNSEND spoke substantially as follows:—I feel a great deal of reluctance in rising to address the house on the present occasion, when I see all the legal talent arrayed against me on this important question. I feel, however, that I stand here with the great masses of the people at my back. I contend that we have no right to deal with the question; the people did not send us here to deal with it; they do not yet know its merits. I cannot believe that such immense advantages will spring from Union as some gentlemen profess to see ahead. You cannot force trade out of its natural channels. The State of Maine, and not Nova Scotia, is the natural frontage of Canada. The interests of the people do not lie in the direction of connection with Canada. As far as my own people are concerned, I know if you were to ask them if they would prefer Annexation to Confederation, they would answer, yes. Their commercial interests are intimately bound up with those of the United States, and it is not therefore surprising that such a sentiment should prevail.—They say, give us connection with a country that will protect us. Canada cannot take care of us. I do not feel this way myself, but still I know what I state is perfectly correct. I know that, simple man as I am, I cannot change your sentiments on this question. All the leading talent of the house is against it.—We have no leader; I do not acknowledge the hon. member for East Halifax as such. The leader of the Opposition is with the Government on this question; he supports them on the School Bill and Confederation, and I am only surprised that he is not one of their number. I deny that Mr. Annand is my leader. Can I take a man that says a thing on the street, and then comes here to prove it? I have yet to hear the arguments to satisfy me of the necessity for this Confederation. Is it advisable to unite with a country with such large debts and duties? to have to pay for the enlargement of her canals, and extension of her railways? A large proportion of our population are fishermen and heavy consumers, and under Confederation when you increase the duties you must increase their expenses. The Intercolonial Railway will only benefit us so far as it connects us with St. John. You cannot carry flour in quantity for any great dis-

fance over the railways; the barrels are injured; water communication is infinitely preferable. It is only to win if that the road will be found of any particular advantage. What I fear is, that if you pass this measure in the mode proposed you will convulse the country from one end to the other. All we require is to be allowed to manage our own affairs in our own way. I do not think that we can be better off than we are now under any circumstances. Why not then let well enough alone, and cease disturbing the country at what gentlemen say is a critical period of its history? The Quebec scheme is as good a scheme as any you can devise, but I do not want any at all. I know that my constituents are to a man opposed to the proposed Confederation, and I am determined to stand by them. I feel that they will look upon the present action with horror and alarm. My people, I say, would prefer Annexation to Confederation, but only let a thousand Fedians come among them, and the fellows would not be heard of. Let England or Canada be assailed, and two thirds of our young men will volunteer to take care of the country. But still we do not wish to be hurried into Confederation. We want the people to have a voice in the matter.

SPEECH OF THE HON. ATTORNEY GENERAL.

HON. ATTORNEY GENERAL said:—I have been labouring for some days past under a hoarseness, which is not at all pleasant, and I do not feel now in a condition to do justice to the important subject before the House; but as gentlemen appear indisposed to speak on the subject, I shall endeavour, without preparation, to give my thoughts as concisely as is possible. The question is one of such great magnitude that I feel I am hardly doing my duty in addressing the House under the circumstances I have stated. The present question is one which is fraught with most fruitful consequences to the people of this province, as well as of all British North America. We have thrown upon us a responsibility by the tide of events which we must assume, unless we are willing to fail in the duty we owe to the people. It will be for gentlemen, looking at the whole position calmly and dispassionately, to deal with the question as subjects of our beloved Queen, anxious to perpetuate the connection with the British Empire. All considerations of party politics should be laid aside, and no influences should prevail, except the desire to arrive at a conclusion that will benefit the people whose interests we have in charge. I contend that, as subjects of the Queen of England, as members of the province of Nova Scotia, we have duties now to discharge of a most onerous character. We have been accustomed from our childhood to take an interest in the great country from which we have sprung. We have drawn from that country the principles that lie at the foundation of all our institutions. We should look at the present question, not merely in the capacity of provincial representatives, but as subjects of the great empire of Great Britain. I hold this doctrine, and I believe it is a patriotic one, that we should consider in our deliberations that we are acting not only for the advantage of Nova Scotia but also in the interests of the great empire on which the sun is said never to set. I have

listened with some interest to the speech just delivered by the hon. member for Yarmouth (Mr. Powisend), and although I must condemn his disloyal sentiments, yet I feel he is at all events entitled to some credit for the candor with which he stated them. I can understand that hon. member coming forward and proclaiming to the House and country that the people of Yarmouth have no loyalty except what puts money into their pockets. We can understand that argument against the union of the Provinces, and need not therefore be surprised that nine-tenths of the people of that section are opposed to Confederation.—We therefore see plainly why the hon. gentleman is opposed to a union of British North America. We can understand gentlemen who argue this way, who prefer annexation with the "Stars and Stripes" to England's "Meteor flag," but what are we to think of gentlemen who come forward and say that they are actuated by very different motives—that they wish to keep up the connection with the British Crown; they say they are loyal, but that if we confederate, we must be eventually annexed to the United States. That is an argument which requires some explanation before it can satisfy those who have studied the question of union and have come to the conclusion that a union of the Provinces is necessary to the continuance of their connection with Great Britain, and their only safety against annexation.

When the resolution was passed in this House, providing for a Conference to consider the question of a union of the Maritime Provinces, we all believed that a union with Canada was impracticable at that time—that she would not be moved by an appeal from these colonies—that any movement on our part would not influence her. That was the sole reason why Canada is not included in the resolution in question. We believed that union of the Maritime Provinces was alone practicable, and that it would lead to the larger Union. A delegation was sent to Charlottetown, but before it took place what was announced in all the newspapers? What was everywhere known and understood? What was the understanding of every man that went on that delegation? Why, that the delegates of the Maritime Provinces were to meet a delegation from Canada at Charlottetown in reference to a Union of British North America. Gentlemen, now busily occupied in opposing union, were aware what was to take place at that convention. I have no hesitation in saying that the fact was known to Mr. Howe, and publicly stated in his presence at the dinner given to the Canadian gentlemen, but who, in a number of articles, has been obstructing union for the last eighteen months—who has called those connected with the Quebec scheme "traitors"; thereby stigmatizing his own political friends and allies as well as those who have been opposed to him in public life. He has charged them with having sold and bartered away the rights of the people of the country, and when a gentleman under his own hand, makes such charges against others, he need not be surprised that they are thrown back against the individual who made them. That gentleman knew that the Delegates were to meet for the purpose stated. He did not wait to be asked to join that delegation, but personally solicited the appointment.

When he was appointed and found that a man-of-war was ready to take him to Newfoundland, and that he could not go to Prince Edward Island, he expressed his deep regret that he could not join us. Believing and expecting that something would grow out of that meeting, he wrote to the Government expressing regret that he could not join the delegation, but that when he returned in October he would be happy to aid them in any scheme that might be arranged. It is not necessary for me to go over the evidence that he was always in favor of a union of the Provinces. Whilst conducting a leading public journal he advocated it for years; within these walls he repeatedly referred to the subject in a manner that was calculated to bring conviction to the people of this country. Who does not remember the story he told so often that when he arrived in Liverpool a consul from the United States, the bearer of important despatches, was allowed to go ashore, whilst he had to remain in the ship. Should a Colonist, he said, be considered so little entitled to consideration? Should not the Colonies assume a position that would entitle them to more respect among the nations of the world?

I am not going to recapitulate what occurred at Charlottetown, or enter into any elaborate exposition of the necessity and advantages of union; it has been thoroughly discussed in the press and on the platform, and on the floors of this House. I have yet to hear, in this debate, anything on the subject that has not been often said before. It is complained that there are eleven lawyers in this House in favor of the scheme; but are not the best minds in the country also supporting it? I need not tell gentlemen who are opposing this great measure of intercolonial progress, and who the "head centre" is. He is well known in this House and country; he has been receiving pay from the Imperial Government for the past two years, but, opposed to the views of that Government, has been secretly using every means to thwart them, and at the same time tried to deceive the people by a letter that he was not opposing the measure in any shape. Now that his pay has ceased, the mask is thrown off, and we find him openly in antagonism to the measure which he pretended he had not endeavored to thwart. He, a servant of the British Government, has been for months past insidiously laboring to destroy a scheme that he knew had secured the approval of that Government, of the British Parliament and people, and the best minds in British North America. This is a free country, and every man is at liberty to write what he wishes; but there are responsibilities thrown upon some persons in reference to many public measures that should induce them to act with great discretion. That discretion has not been observed by Mr. Howe. He has forgotten the responsibility that he owes to the people of this country. He was not called upon as a public man, for he occupied no position in this country that required his action, but he has gone out of his way to oppose this measure, and to slander and vilify members of this House, on both sides. We are told that this is the patriot of Nova Scotia, and that therefore he is entitled to consideration. Let us see the position that the hon. gentleman occupies before the people of Nova Scotia, and scrutinize his claims to the confidence of the

country. He went to England on a railway mission, three or four years ago, and entered into an arrangement by which the people of this province would have to pay three and a half twelfths of the entire cost of the intercolonial Railway, and then came back and, by the power of a small majority, whilst an employee of the British Government, passed an act to carry it out. Now, when the road is to be built on most advantageous terms, he is found opposing a scheme of union without which its construction must be delayed for years. He went to the county of Lunenburg at the general election in 1863, and the people rejected him by an overwhelming majority. He has since then been in the pay of the British Government, but during that time what evidence did he give of his patriotism? Did he serve the interests of the people on any single occasion? No; his patriotism was subdued by his salary.

This gentleman, whose ability is undoubted, whose speeches I have listened to on the floor of this House with the greatest interest, assumes to be the guide of the people. Let us see what claims he has to that position. We all know that the Reciprocity Treaty was entered into in 1854. It came to be ratified in this House, and where do we find that hon. member? We found him endeavoring to defeat that measure, and dividing the House on the question. If the hon. member had been successful, we would never have had any Reciprocity Treaty, as far as Nova Scotia is concerned, and the advantages of that measure and the favorable position it now so strongly enables us to take in dealing with that question, would have been wholly lost. Again, the question of the settlement of the Mines and Minerals came up for consideration in 1858. It was arranged by a gentleman taken from each side of the House—the present Judge in Equity and the hon. leader of the Opposition. Mr. Howe led up an opposition to the measure, and did all in his power to frustrate the arrangements that the delegates had made in London. These were two important questions which have proved most advantageous to the people, and yet Mr. Howe, the patriot, was found throwing obstacles in their way. Again, the hon. gentleman became a railway commissioner, and I need not remind the House that, in 1856, he was constantly found button-holing members, and endeavoring to upset the Government of his own party, whose subordinate officer he was. If that Government, which he represented as resting over a volcano, was not immediately broken up, it was not his fault. Things went on this way until 1857, when the Goulay shanty riots occurred. We all remember the religious animosities that were excited. Who was the origin? This same gentleman. He destroyed his own political friends by forcing measures upon them which they could not with safety adopt, and which divided, as he knew it would, his own party. He raised religious strife in this country for his own personal objects, and excited neighbor against neighbor who had lived for years in peace and quietude. He managed by this means to get into power in 1859, but do you think he endeavored to preserve consistency of action? Nothing of the kind. After his success, by a small majority, which was subsequently melting away, and feeling the power unrighteously obtained fast slipping

away, and in order to avert it, he did not hesitate to seek aid from the very men he had proscribed, and to assert that his professions to others were false, and that he had only wanted a little capital by which to get back into power. This is the gentleman who now attempts to deal with the people of Nova Scotia, and tell them that they should follow his advice. He has been opposed to the continuance in office of the present Government, and he made overtures to Opposition gentlemen likely to support the Confederation scheme, asked them not to allow the present Government to carry it, that if they would only help him to overthrow the present Administration he and they might, if necessary, pass the measure when they got into power. I am not making this statement rashly. I can prove it by what has passed between them within and without the walls of this building. His opposition is, I am satisfied, not so much to Union as that the men in power should carry the measure. That is the patriotism that influences the hon. member.

There is another gentleman opposite who opposes this measure, and that is the hon. member for East Halifax. I regret to say anything severe about that gentleman, for he has passed through an ordeal in this house which entitles him to commiseration. He endeavored to blacken the character of men connected with the Quebec scheme. We all know the statement made concerning Hon. George Brown, and the refutation it has met, even from his attempt at escape by denying his own words, uttered in our presence. I ask the hon. member to consider the position he occupies on this question. I am prepared to prove by the most conclusive evidence that the hon. member, within the last two or three weeks, would have been willing to go for this very resolution, without any stipulation as to an appeal to the people. What has changed the hon. member since? Have there been any new arrivals in this country since he formed and uttered this intention? Has there been any influence brought to bear upon him? A gentleman has written article after article on the subject, who has stated deliberately that he would be willing to support this scheme, now comes here and tells us that he has yet to hear "the first argument in favor of union with Canada." He attempted to define his position the other day, but I am quite sure that when he was done, nobody knew where to find him.

On the several occasions that this question has been before the House, I have not said a single word on the subject. It was one of those questions that I did not wish to deal hastily with; I was anxious to ascertain how it could be carried out in accordance with the public interests, and how far the measure could be practically dealt with. We went to Quebec, and I listened attentively to the arguments in connection with the subject of Union. When, I saw that a practicable scheme could be matured which would do justice to all interests, and believing it was necessary for the welfare and prosperity of the people of British North America, then alone did I consent to be a party to it. As respects the Quebec Scheme, I may state that I had my doubts as to the correctness of some of its features, and divided the convention on them. I objected to the pardoning power given to the local governors, who are simply delegates from the General Govern-

ment, believing that feature would be regarded by the British Government as against principle. I objected again to that portion of the scheme by which the number of the Legislative Council is stereotyped; I held that it was preferable to continue the principle of the British Constitution, which allowed the Crown to add to the number of the Upper House, but I was overruled by the allegation of the difficulty of arranging the numbers which might be added so as not to alter the relative numbers from all the Provinces. I felt, however, although opposed to some of the details, that it would be for the interest of the Provinces to adopt it as a whole. I felt that whilst they remain isolated, instead of becoming more intimately connected and better acquainted, they were likely to become more and more antagonistic to each other. I had before me the position of two Australian Colonies which came nearly to war in consequence of some financial dispute between them. Some goods were seized by the one, and attempted to be rescued by the other, and they were only restrained from the adoption of extreme measures by being Colonies instead of independent countries. We have trade relations between the Provinces that are injurious to all of them.

The hon. member for East Halifax says that we can have changes, and those relations improved without union. Well, the hon. gentleman tried that on one occasion, and found that the difficulties that met him were of a most insurmountable character. We are told that the currency could be assimilated, but the hon. member must have changed his opinions on this subject very recently, or he would not now desire to alter or assimilate the currency. A few years ago I introduced a bill for the purpose of giving the country a decimal currency, founded on the basis of the American, Canadian and New Brunswick currency; but he voted against it, and he and his party did all they could to prevent us assimilating our currency to that of the neighboring States and Provinces.

The hon. member denies that Union can increase our capacity for defence, but no one is likely to believe that his opinions are entitled to greater weight than the eminent statesmen and generals who have given their views on the subject. At present each of the provinces looks to its own safety, and does not trouble itself much about its neighbour. We can hear with comparative quietude that the Fenians are about to land in New Brunswick, but if we hear that Nova Scotia is endangered and its soil invaded, our blood is excited, and we feel we must rise and defend our hearths and homes. If we were all united in one, if the Canadian felt that the soil of Nova Scotia is as dear to him as that of Canada—if Nova Scotia felt that Canada is a part of itself—we would all have a greater guarantee of security. We are told that disunited we can as effectually defend ourselves. I would call attention to the position of Wellington in Spain. Whilst trammelled by the orders of the British Government, Spanish Junta, etc., he was powerless, but the moment he determined to act on his own responsibility, success crowned his arms. Everybody must see the great advance that is derived from the concentration of authority in one hand. The most powerful governments for speedy action is that which is despotic. If we have one concentrated authority in the

country—one general command—our strength will be vastly increased, by the ability to concentrate force when necessary at any important point. The hon. member for East Halifax would have the people of the province pay pound for pound with those of Liverpool, Manchester and London, and leave the expenditure to the British Government irresponsible of any power. We would then have no control over the expenditure, and could no supervise those who would expend the moneys thus raised. If we were united under one Government, and had one central Legislature, then the money would be under its control; and our own representatives would see that it was judiciously expended.

The hon. member for East Halifax told us that the necessities of Canada forced them to unite with us. I tell the hon. gentleman Union was spoken of, and introduced by the gentleman whose mouth-piece he is, long before it was thought of seriously in Canada. They had no necessities that forced them to a union with the Maritime Provinces. All that they had to do was to agree to the principle that is introduced into the Quebec scheme, Representation by population; and I believe they will be found ready to adopt that principle in their own local affairs if this scheme fails. When this question is settled, they have no important difficulties to disturb them. If the question of Union has attained its present position rapidly, it has been aided by the resolution that his own government introduced and carried in this House some years ago without a division. When Canada found that the Lower Provinces were taking measures for a union among themselves, her public men asked if we could not unite in a Confederation of all the Provinces. When we went to Charlottetown, we found that, owing to the opposition both of New Brunswick and P. E. Island, the smaller Union was impracticable. Not a word was said about union with Canada until it was found that union of the Maritime Provinces could not be brought about. I may add, that the question of a Legislative union of the Maritime Provinces was again brought up at the Quebec Convention. Canada and Nova Scotia urged that union, but gentlemen representing the two provinces named would not consent to that union. If, therefore, the Maritime union has not been carried, it is not the fault of Nova Scotia or Canada.

Reference has been made to the financial necessities of Canada. We know from our own experience that the revenue will fall off considerably during some years; one year Nova Scotia had a deficiency of £29,000. Three or four years in succession of failure of crops affected the importations into Canada, and consequently caused a deficiency in the revenue, but I can assure gentlemen that Canada is not now in any position to require assistance. Yet gentlemen who would object to Confederation with Canada for fear of extra taxation, would have no unwillingness to annex us to the United States, with its immense war debt and exhausting taxation. Canada now is as prosperous as any portion of the globe.

The hon. member told us that the Imperial Government had no policy until after the report of the delegates. In this he may be correct. The British government, looking at the fact that leading men representing both politi-

cal parties in the provinces were in favour of union, and had adopted a measure for their confederation, had every reason to suppose that they represented the feelings and wishes of the country. When the British public saw that the Colonies were entertaining the scheme for Union—that the leading men had concurred in its details, they felt that this was a measure that invited their serious consideration and approval. I tell the hon. member for Shelburne that it is not only Mr. Cardwell who has spoken strongly on this question; if he did not support it, I believe he could not remain in his present position. No government could be formed in England unless it encouraged and stimulated this union, for public opinion in that country is almost unanimously in favor of that scheme. I know his from leading supporters as well as opponents of that government.

I have already pointed to some of the parties who are opposing the Union of the British North American Provinces. I have shown you that some of these gentlemen profess to be Annexationists to the American Republic.—But we had on the promulgation of the Quebec scheme opposition from another quarter.—It will be remembered that there was a paper published in Halifax under the not very euphonious title of the *Bullyrog*, patronised and encouraged very largely by gentlemen in the Anti-Confederate interest. This paper was edited principally by gentlemen in the Royal Artillery in this garrison, who have since published a work on Confederation, which I find reviewed in an English paper. I must say that, if the Review expresses their views, these gentlemen have been guilty of the grossest libel upon the loyal people of Nova Scotia that was ever penned. When we look at a man's conduct in all its relations, then only can we form a just conclusion as to the motives that actuate him. I will now read to you from a review of the work in question:—

The Confederation of British North America. By E. C. BOLTON and H. H. WEBBER, Royal Artillery.—London: Chapman and Hall.

The authors of this volume go dead against a scheme which was received with much approval in this country, and was believed to have been also, on the whole, favourably looked upon in the colonies.—We mean, of course, the proposal for the Confederation of the British North American Provinces. It seems, however, according to the authors of the work before us, that we were all wrong on the subject.—Confederation, they declare, is neither possible nor desirable.—Indeed, is not desired, in the wide sense of the word, at all. The maritime provinces, while they are favorable to a federation among themselves, are bitterly inimical to a union with Canada; while all the Colonies—Canada, New Brunswick, Nova Scotia, Prince Edward Island—are much more inclined to be annexed to the United States than to the confederation proposed, and only value British connection for the sake of Imperial expenditure among them. The Confederation scheme the authors pronounce to be a farce; and, if carried out, a ruinous farce. The colonies wish to do nothing, and will do nothing to provide defenses for themselves. The mother country, they think, cannot do without them—in fact, would sink into the position of a third-rate power were her American colonies severed from her, while they would still retain their trade with the United States, with England and with the rest of the world. The people of all the Provinces are, we are told far more Yankee than British in their characters and their habits, and even in their sympathies; and the loyalty to the Crown, of which we hear so much is, if we may trust Messrs. Bolton and Webber, only a mere lip affair, put on to keep up appearances and induce a con-

tinuance of grants for public works, for fortifications, and for the maintenance of troops in the provinces and of the navy on the station."

Here you see the supporters of the Anti-Confederation doctrines perpetrating this disgraceful libel upon the people of Nova Scotia. I hold that these gentlemen are no worse, however, than those who here advocate annexation. We are told that our loyalty is only a mere lip service, that we value British connection only for the advantages it brings with it—for the money it affords us in connection with naval and military expenditures. I ask the hon member for East Halifax and those who are associating with him, ought they not to be proud of their connection with these gentlemen who thus libel our country?

We are told that we should not go into this Union—that Nova Scotia is now happy and prosperous, and does not require union to make her more so. Let me ask how are we going to provide for the continuance of that prosperity? Who of all the Anticonfederates can show us where, without union, we will be in two years?—who can guarantee us our position for that period or less time? We only jeopardize it whilst we remain isolated as at present. Look at the geographical position of Nova Scotia, at her great resources, and ask if she should not wish to be even more prosperous than she actually is, or without union can ever expect to be. What is it that placed England in her present exalted position among the nations of the world? What is it that has given her continued supremacy on the sea, and as a manufacturing country? Her mines of coal and iron. What have we in Nova Scotia? She is partly a fishing and partly an agricultural country, but she has also most valuable mineral resources only in the infancy of their development. If you consider her water power, and mines of coal and iron, and her geographical situation, you see all the elements of a great manufacturing country on this side of the country. Whilst we have no market we cannot expect to see our manufacturing system develop itself, but if we had a market of four millions of consumers, then we might expect, in a fair competition, to see them progress. Give her the population, and I am confident that she will take a position in the manufacturing world that no country of the same size can far surpass.

We are told that we can have free trade without union, but that cannot be proved; we are told it, I repeat, but not the slightest evidence is adduced to show how we can obtain it. There are intercolonial commercial rivalries that prevent that object being attained as applicable to manufactures. Wherever an attempt has been made in this direction, failure has followed, and will follow hereafter. Nothing is more certain than the truth of the principle that when you attach a small country having all the elements of manufacturing, to a greater one with a large population, you benefit that smaller country. Situated as we are on the broad Atlantic, with our ports open at all seasons of the year, with our fisheries, mineral and other resources, we may become the entrepot for a large extra trade between the other British North American colonies and the West Indies and other parts of the world, and only require a union with a larger country to become great and prosperous to an unli-

imited degree. A trade will arise that will give employment to our shipping, and we may as it will, no doubt, add largely to that shipping and the amount of our carrying trade. But, sir, if no increased prosperity will result from union, I again ask who can guarantee to Nova Scotia the position she now occupies? Look at the state of things on this continent, and ask yourselves is not the danger imminent if we remain isolated as at present. If, on the other hand, we are able to get by the union a guarantee of the continuance and increase of this prosperity—if we can by it perpetuate the connection with the great Empire of which we form a part, is it not our duty as well as interest to do so without delay, and not risk the continuance of that connection by a selfish and exclusive policy against the unanimous wish of the people who protect us.

We are told by the hon. member for East Halifax that there is a sentiment prevalent in England in favor of getting rid of these Colonies. I had a better opportunity than the hon. gentleman of judging the state of public opinion, and I travelled over the country more than he did. I can unhesitatingly state that in no part of the mother country did I discover any such sentiment as he speaks of. We have heard of the Manchester school of politicians who are said to be unfavorably disposed towards these Colonies of the Crown; and desirous for their separation. That party is small, if it is all, which I very much doubt; and it certainly does not represent the sentiment of the people. I had the honour on one occasion, during my late visit to England, of sitting down to a luncheon, at Rochdale, a little out of Manchester, with some one hundred gentlemen of standing and influence. I was presented to them during the entertainment as having one been of the delegates who went from Nova Scotia to the Quebec Conference, to frame the scheme of the Union of the Provinces. I can only say that the statement was received with universal applause, and I was called upon to respond to the toast. I never felt prouder in my life than to hear in that very heart of the Manchester district the cheers that rang from one end of the building to the other, when I promulgated the opinion that it would not be long before the Colonies were united. A few politicians representing that part of the country may spout such ideas, but I am certain the hearts of the people are not with them. I believe that a similar feeling prevails among all classes of the people of Great Britain. If any such sentiment be entertained by parties in England, as the hon member says, it is perhaps not difficult to account for it. Persons there may be deluded into the idea that the Maritime Colonies are opposed to Confederation, thanks to the hon member and his associates. But if the hon member is correct, and England does wish to throw us off, what, then, is to be our fate? Where are we? What country do we belong to? What must be the fate of 350,000 people left isolated and alone? Annexation must inevitably follow. Therefore admitting that such a feeling does exist in the mother country, we have an additional argument in favor of the necessity of Confederation—of a union that will give unity and solidity; a population of four millions of souls bound toge-

ther by the closest ties, determined to aid and strengthen one another, and perpetuate the hallowed connection with our honored parent. If the mother country receives from us a pledge of earnestness in this matter, and believes that our great object is to keep up the connection with her, she will feel doubly bound to give renewed assurances for the continuance of that connection, and to sustain and protect us in the hour of need. She will feel that the colonies united in one great country will be a source of strength instead of weakness. If the colonies are consolidated—if they present a united population of millions of loyal subjects, England will feel a greater degree of security than she can possibly do while they remain more isolated communities without unity of purpose or design.

We are told that it is unconstitutional to pass the Resolution before the house—that the question should be referred to the people at the polls, but where is the argument that has been adduced in support of this proposition? We are told that it is a terrible thing to take away the rights of the people. Do these gentlemen correctly estimate the position we occupy? Do they forget that we have certain responsibilities as forming a portion of the Empire of Great Britain? We have a constitution of our own, I admit, and have the right to manage our own local affairs. We had conceded to us years ago the principle of Responsible Government: but did we also obtain the right of exercising it against the rest of the Empire on a question involving Imperial as well as Inter-colonial interests? Are we to use it to the detriment of the mother-country and the sister-colonies? When Responsible Government was conceded to us, the principle of total independence did not accompany it.—We may pass an act here, but it must be ratified by the home government. We are dependent, and should where necessary, modify our views and measures to some extent when Imperial and inter-colonial interests are at stake. Whilst we are a dependency, we have the protection of the mother-country, and she can at the same time ask from us the yielding of certain rights as British subjects, for the benefit of the whole Empire. We are asked to—(Mr. Killam—To sell us)—the hon. member says to sell us; I would tell him that he would not ask a great deal to sell us to the United States tomorrow. (Cheers in the galleries.) I contend whenever overpowering interests of the empire demand it, the Imperial Government may fairly ask us to modify and amend our constitution, and that the representatives of the people can constitutionally consider and pass upon the subject. Let us then look calmly at the position we occupy. We are told that this matter should be submitted to the people. I would ask these gentlemen to give us examples where such a course has been pursued.—Have they cited one case? Not one. How was the constitution changed in New Zealand? By the Legislature first adopting the measures for Union, and subsequently by an Imperial act. I can understand why, if a resolution was moved for Annexation to the United States, some gentlemen would not see anything improper in it, but when we move one, under the authority of the British Government, with the view of joining the sister-colonies, in order to give us strength and security, they prate about

the constitutionality of the proceeding. Suppose the British Parliament in the interests of the Empire should pass an Act for the consolidation of those Provinces, could the constitutional right of doing so be impugned? The British Government have not intimated a desire to pursue that course but no person can deny its right to adopt that course. All, however, that they have done is to manifest their desire that we should manage the affair in our own way, and to give us their opinion that it is for our own advantage that we should unite without delay. When gentlemen attempt to introduce a novel doctrine in this Legislature they should adduce some argument derived from the practice of other countries in support of their position. Can they show us an instance of a question after it has passed the Legislature, having been sent to the people? When a government introduces, but fails to carry, a measure, they can go to the country and test the public opinion. When a measure is proposed by a government and passed, the constitutional doctrine prevails that the gentlemen within these walls represent the feelings of their constituents. That must be the constitutional test, otherwise every measure of importance should be submitted to the people after its passage through the Legislature. We are told that the people are opposed to this scheme, but that has to be proved. The people are hardly yet aware of the exact nature of the resolution, and therefore cannot be said to be opposed to it. Some persons have objected to the Quebec scheme; some have favored a legislative union; others are in favour of a modification of the former measure. Various opinions prevail, but nearly all wish union of some shape or other. I hold that it is perfectly constitutional to pass this resolution—that we have an undoubted right to do so—gentlemen will remember that it is only a short time since that the Legislature of Jamaica passed an act to destroy its own constitution? Did these Anti-Confederate gentlemen come forward and declare that to be unconstitutional? Not at all.

We propose only to transfer certain powers to a Legislative body comprising a fair representation of our own, chosen on the principle of population. It is not a Confederation in the strict term of the word. It is a Legislative union to a large extent. The people will elect their representatives as they do now, and each county will have its member in the General Parliament. Objection has been taken to the principle of representation based on population, but what else can you have? We could not expect to have as large a representation as Canada, nor could Prince Edward Island ask as many representatives as Nova Scotia or New Brunswick, and if the numbers were not to be equal, I ask these gentlemen upon what principle would they be regulated except on that of population? What was the cause of the difficulties that have arisen between Upper and Lower Canada? It was because that principle was not incorporated in the Act of Union. After a few years Upper Canada, at first less than Lower Canada but subsequently largely increased in population, did not consider that it was fully represented, and demanded that its representation should be based on numbers. We are told that this is not a Legislative Union, because all the sub-

jects that come before a Legislature are not embraced in it. If they are not embraced in it Nova Scotia has not therefore much cause for complaint. Education, Roads and Bridges, the control of our jurisprudence, and other subjects in which we take the deepest interest are left to our own controul. Then we have the same amount per head for our local government that they have in Canada, and if we manage to spend more money in proportion to our population than she does, it is only right we should pay for it. We go into that Union on the same terms. Every man, woman, and child will owe the same debt—receive the same amount from the general exchequer—as each man, woman, and child in Canada, and we shall have our full share of all the expenditures by the General Government for important public objects. We are told, however, nineteen members will have no influence in the General Legislature. I contend they will have as much influence relatively as the eight gentlemen representing Cape Breton now exercise in this house of fifty-five. That island is felt to be a part of our country, and entitled to a share of the general prosperity, and in Union each of the Provinces will feel an interest in the prosperity of the others. There may be some little rivalries, as we have now, but these will not exist as to local expenditures so much as affecting general principles and measures. Talent and energy will assert their proper positions in the general legislature as it does here and everywhere under free institutions. Nova Scotia may be a small Province, but her men will be able to hold their own I trust in the United Parliament. The nineteen men she will select to represent her will, I have no doubt, be able to protect her interests. As I have just said, Cape Breton receives a large influence in this House; her members have received everything that they can reasonably ask. Party Government must prevail in the new Parliament.—There must, as in all countries under Responsible Government be a Government and an Opposition, and Nova Scotia will exercise with her nineteen members a sufficient influence.—There is no party, however strong, that can afford to neglect the legitimate local interests of any one of their supporters. This government came into power some years ago, with a majority such as was never seen before in Nova Scotia, and who can allege that the local interests of any section were neglected. It is true that no government can satisfy the demands of all their followers—nor can they in adopting a general line of policy satisfy their friends; but I am now referring to the local interests that are to be represented. If any gentlemen have withdrawn their support from the government it is on general subjects; no one can say that local interests are disregarded; and I am free to say that the gentlemen from Nova Scotia will get their fair share of everything that they require, for there is no party in Ottawa that could refuse it to them with impunity. We all know that the Irish party, comparatively few in number, to a large extent, controlled public matters for years in the British Parliament.

We have had all sorts of aspersions thrown upon us. It is said that we are actuated solely by selfish motives. One gentleman is to be a governor, another a judge, every body is to

get something. I believe that the gentlemen who talk this way have some ideas floating in their minds that by opposing this scheme they may become something of the kind themselves. They believe, and the secret was let out by the hon. member for East Halifax, that the government is unpopular, in consequence of the School Bill; that if they can only keep things as they are for a few months longer, until a general election, they may come into power themselves; that when the present government is defeated, and they step out of office, they can, if necessary, carry Confederation themselves—then, no doubt, the people will be in favor of it—nothing will be then said about the constitutionality of dealing with it irrespective of an appeal to the people; or, they will have their choice of leaving things as they are, and holding an office as long as they can. Visions of Financial and other secretarieships; offices of Queen's Printer and others, are no doubt urging their powerful influences upon the patriotic minds of these gentlemen. So we may fairly suppose that these are the reasons that sway some hon. gentlemen, rather than those suggestions of patriotism of which we hear so much, but in practice see so little. They wish to have the alternative of choosing or rejecting Confederation, according as it may suit their own personal interests. Therefore they urge delay on the part of the present government in reference to the question. What unselfish patriots!

The hon member for Halifax has admitted that he said to gentlemen in this house that he would go to New Brunswick to see some Antic-confederates for the purpose of ascertaining whether they would not agree to a resolution something like the present one. He will allow me to say that if he had gone to the sister Province he would not have found Mr. Smith opposed to a union of the Provinces. I am not taking a liberty with that gentleman when I say that he has never pronounced himself against a scheme which would remove the objections he entertains to the Quebec plan of Confederation. The state of things in that Province itself proves that the large mass of the people entertain similar views on the subject.

I know that I have not dealt with this question as its importance demands, but although unprepared and not expecting to speak to day I could not allow the resolution to pass with a silent vote. Present and aiding in the Charlottetown and Quebec Conventions, I came to the conclusion that it was for the interest of Nova Scotia, as well as her duty to the great Empire to which she belongs, that she should adopt this Union. I have endeavoured to give these crude observations in a dispassionate and calm manner. I have given some of the reasons that influence my judgment in favour of the resolution before the house and now say most emphatically that if there are any persons who prefer annexation to the United States, let them, in Heaven's name, follow the example of the hon. member for Yarmouth, but do not let them attempt by false representations to thwart the efforts of those who would bring about a Union of the Provinces. I say, however, to gentlemen around these benches, who value the flag that "for a thousand years has braved the battle

and the breeze," and that has planted liberty and freedom in every quarter of the globe—to all those who are inspired by a desire to perpetuate the connection with the British Empire, come forward and support the measure, which will at once achieve this result, and at the same time give that dignity of position and security to the Provinces that in their present isolated position they can never hope to obtain. (Cheers).

SPEECH OF MR. KAULBACK.

Mr. KAULBACK said:—I feel some diffidence in addressing the House upon a question of such importance; but I consider it a duty devolving on me to express my views upon it, and in doing so I shall have occasion to refer to the arguments of some gentlemen who have preceded me. I conceive that this subject, having been long before the country, is no new question; it has been before the people for more than half a century, and has been agitated by our leading men for a great many years. Every man considering the question should surely have solved it and matured his mind by this time. In 1814 Judge Sewell, of Quebec, urged the necessity of a scheme of British North America on the Duke of Kent. A Union of the Colonies was urged by the Earl of Durham in 1839 when a scheme analogous to that now before us was mentioned. In 1849 a British American League was formed in Toronto who seemed to have had the matter fully before them. In 1854 we had Mr. Johnston moving in the matter, supported by Mr. Howe and Mr. Young. From 1854 to 1860 we have correspondence on the subject. In 1857 Mr. Johnston was delegated to go to England in connection with Intercolonial matters. In 1858 there was a delegation from Canada of the same kind. In 1860 Dr. Tupper delivered lectures on a Union of the Colonies; in 1861 Mr. Howe moved a resolution which was adopted by the House. In 1862 Mr. Annand, Mr. Howe and Mr. McCully went to Canada on the subject. In 1863 Mr. McGee lectured in Halifax, and in 1864 I was present at a banquet in this city when Mr. Howe gave an eloquent address on the question. It cannot therefore be said, that the time has not arrived when the question should be solved. The hon. member for Shelburne made a reference to some distinguished Canadian politicians and styled one of them an Irish rebel. I have only to reply that we find that Mr. Howe, in 1863, on a platform in Temperance Hall, eulogized Mr. D'Arcy McGee, and declared that he "was with him in all he said" in favor of a Union of all the British North American Colonies;—now he ridicules Mr. McGee, and denounces any Union with Canada:

In 1867, Mr. Howe declared in Temperance Hall—*"Talk of the Fall of Quid being a source of sorrow to the inhabitants of this province? It would be more. If the St. Lawrence were in the hands of our enemies, we should be compelled to beg permission to tear down the British flag. What he wished for Nova Scotia was that she may be the frontage of a mighty colony upon which it may be truly said, the sun never sets."*

Notwithstanding this we find Mr. Howe writing the Bocheration articles, and his public

character is open to much doubt from that time. As others who were present at the dinner to the Canadian guests, in 1864, have said, the question of Union was then in the public mind. I well recollect the speech made by Mr. Howe on that occasion; and as his observations were more eloquent than anything that I can say, I will ask attention to a few of his sentences:—

"He was not one of those who thanked God that he was a Nova Scotian merely, for he was Canadian as well. He had never thought he was a Nova Scotian, but he had looked across the broad continent, at the great territory which the Almighty had given us for an inheritance, and studied the mode by which it could be consolidated, the mode by which it could be united, the mode by which it could be made strong and vigorous, while the old flag still floated over the soil. (Loud cheers.) He was delighted to see such a scene as this, which gave promise that which was the dream of his boyhood would be realized before he died."

"Thank God the time had come when Her Majesty's subjects, whether English, French Scotch, or Irish, might meet together under the old flag, and maintain common sentiments of unity, and look forward to the time when we should make a new England here; not a new England with republican institutions, but a new England with monarchical institutions. He had always been in favor of the Intercolonial Railway. He wished every now and again to see the seething fairs of Montmorency, to see the Indians of Lorette dancing about the silvery stream; he wanted to visit Canada not once in a lifetime, not once in five or six years, but once or twice a year."

"With the territory of Canada, with the rivers of Nova Scotia, with the inexhaustible fisheries, what a country to live in! And why should Union not be brought about? Was it because we wished to live and die in our insignificance, that we would sooner make money rather than that our country should grow? God forbid! He felt that it was too late to say much, though there was much to say. ("Go on, go on.") He knew that the Canadian gentlemen would take in good part what he was going to say.—He had always been in favor of uniting any two, three, four, or the whole five of the Provinces. Well, they knew the history of the past in Canada; they knew what division had produced there, and how, under the divine dispensation, they at last became united into one magnificent colony. There now came rumors across the land that they were going to split Canada into two parts again; that they were going to reduce that low country to its low status of two Provinces instead of one. O, my friends, said the hon. gentleman, go back to your homes, and say that there is at least one Nova Scotian honest enough to say to you this,—that, if you do that, you will commit an act of political suicide, and although I ought not perhaps to give you the advice, I would rather see every public man upon both sides of politics crucified, than I would divide Canada, now that Canada is united. Join the Maritime Provinces if you can; but, at any rate, stick together—hold your own. Let the dog return to his vomit rather than Canada to division. (Cheers.) In conclusion, Mr. Howe said that he was pleased to think the day was rapidly approaching when the Provinces would be united, with one flag above their heads, one thought in all their bosoms, with one Sovereign and one Constitution. (Loud and prolonged cheers.)

I would ask what is Mr. Howe's position on this question to-day? He now appears advocating a new line of policy one day, and another the next. The dream of his childhood he told us was Colonial Union, and now he says that it would be ruinous to the constitution. In his recently published letter he has gone far beyond what any public man should go, and his sentiments I consider a disgrace not only to himself but to those who accord with them. He tells us that we have an enemy before us whose number

and power are not to be despised in the Fenians, whose views are sympathized in by the Americans, and what does he advise us to do in the matter? Does he advise us to stand by our country and our flag? No, he desires us to lay down our weapons; he tells us it is too late that we cannot defend ourselves, and that we are at the mercy of the enemy. His statements are the strongest argument that can be adduced in favour of a Union of the Colonies—they prove that the time is at hand for this measure, and that no time is to be lost. He speaks about putting on a blue-jacket and assisting in our defence; I consider that a man holding such sentiments as his would be dangerous in such a position, for he has been endeavoring to excite a rebellion throughout the country, telling the people that they cannot defend themselves, that our connection with the mother country is unsafe, and that at this moment our better course is to lay down our arms on the approach of an enemy. He tells us that those who advocate the Union now will not be the men who will go to Canada, and the meaning of his letter seems to be that we must wait for him; only bring him back to power and he will not trouble himself to enquire whether he has been elected on this question or not. He will be the first man to advocate the Union when he returns to office and position. I am inclined to believe that all the opposition on this question are in favour of Union, and that they oppose it because they cannot avail themselves of the highest positions. Mr. Howe opens his second letter by saying "my advice has not been taken"; we have taken the advice he gave us formerly as to a Union of the Colonies, but how could his more recent advice be taken when it is well known that he is writing disloyal letters injurious to the Province. I say, sir, that we have seen enough of this gentleman to know that he has broken faith on every public question, and that everything he can say must be received with a large amount of doubt. When in days gone by he advocated Union, did he ask for an appeal to the people? No, the Legislature was to decide the question, and yet he tells us it is unconstitutional to take such a course. That is the position which this gentleman has assumed. He declared some time ago that Halifax would not be safe without connection with Canada by rail; now he tells us that Canada is only a source of weakness. These are inconsistencies which no man can reconcile. Again he agreed that Nova Scotia should build three-and-a-half twelfths of the whole cost of the Intercolonial Railway. We are now to get the Railway built for one-twelfth, and yet he comes out in opposition to the whole thing.

Reference has been made to the recent election in the county of Lunenburg; all I can say is that the result proves to my mind that there is a large majority of the people in favour of Confederation. The government were perfectly indifferent to the election, and it was only the day previous to the nomination that, to my great surprize, I received a telegram stating that the Provincial Secretary was coming down. All

the opposition made most strenuous efforts; they came down and made no secret that they intended to buy the county. Their friends said at a caucus that they could not carry the county on the issue of Confederation, for the people were largely in favour of it. They then resorted to every subterfuge to win the election. The result proves that of 3200 voters only 1300 were in favour of Mr. Hebb. The School Bill was the question that settled the election. I had not taken any part in the affair, until I saw that the hon. member for Richmond had come down. I did not feel inclined to take any active part because we had no man up. There were two men actually on the same side. I preferred Mr. Zwicker, however, because he declared himself for progress; but on Nomination Day he declared against the School Bill and Confederation. He spoke, then, however, under excitement, and his card led us to believe he was not as likely to oppose all measures of improvement and progress as Mr. Hebb. He was, therefore, in some respects preferable to the latter. We went into the township of Chester where the question of Confederation was raised and discussed. The day before Nomination Day we had a meeting in the town, which lasted till a very late hour. And what was the result at every polling place? The friends of the Quebec scheme were two to one. That was the only township where the scheme was put to the people. I am no new convert to Union; but from the first hour it has been before the people I have been in favor of it. I believe in all sincerity, after the consideration I have given the subject, that our future prosperity depends largely on the issue of the present movement. I would be willing to go back to-morrow to my own county on this question, but I want to have the same people that sent me here pass on my acts. I wish to have the same franchise that returned me to the Assembly. The leading minds in the county of Lunenburg are in favor of Confederation. Have you seen more than a single petition against the scheme from my people? There is one purporting to be signed by 111 persons, but any one who reviews it will see that the majority of the names are all written by one or two persons, and evidently at the same time. They had to scour the whole county, too, before they got the names they have to this document. Every man who got up the petition is known to be hostile to the School Bill. This is the way the House is led to believe that the people are opposed to Confederation. It is the easiest thing in the world to get people to sign petitions; that everybody knows.

I have heard with much regret the expressions that some gentlemen have been using on the floor as well as in the lobby of the House of Assembly. I could hardly control my feelings when I listened to the disloyal statements of some gentlemen in reference to the Queen and the representative of her Majesty in this Province. They have been positively insulting to Her Majesty and the "Hero of Kara." Then we are told it is better to be annexed to the United States than to unite with Canada. What

is the use of our Militia and preparations for defence, if we are to be handed over to the American Republic so summarily? Every man who loves the flag under which he lives should sink all personal and political considerations, and join with those who are laboring to unite the Provinces more closely to the British Empire.

It is not necessary that the hon. member for East Halifax should utter disloyal expressions on the street; we have only to read the articles in his own paper. The logic of events for months past, has been telling us of the danger that is imminent. We know that the Fenian organization has attained to most formidable dimensions. The President of the United States has himself deigned to receive deputations from these men. At so critical a period we have the hon. member copying from papers in England (the Pall Mall Gazette for instance) and endorsing their statements, to prove that we are not safe—that all the money England could expend upon us would be spent in vain—that we must be eventually absorbed into the American Union. Is it any wonder, then, that men in the States are to be found in favor of Annexation? Here is a specimen of what we read in the hon. member's journal—

"At present we are arming and drilling expending money, time and men without stint, that we may resist invasion of our territories by the Fenians. Is this because we are Colonists, or because we are Britons? It might be supposed from statements of the Press that it is as Colonists we are arming; but such is not the case. We are arming and drilling not so much to defend our homes, not so much to defend Canada, New Brunswick or Nova Scotia, as such, but to defend the honor, the integrity, and prestige of Britain. All the expense annoyance and danger to which we are exposed is for the sake of Britain, not for our own. Were we free from Britain we should hear nothing of invasion by the Fenians."

What feeling is a statement like that inclined to make among our own people? We are told that we are in bondage to Great Britain—that we are endangered by our connection with her, and that our safety lies in getting rid of her. This is the way that these gentlemen have been endeavouring to indoctrinate the people with their Annexation ideas. They would rather belong to the United States than even remain Nova Scotians. Shame, I say, upon men who can come into the presence of this loyal assemblage with sentiments like these in their hearts!

When the hon. member was Financial Secretary in 1862 the government brought up and carried this very question. He went then on a delegation to Quebec for the express purpose of carrying out the resolution passed unanimously in this House, and uniting us to Canada. Now he veers round when his former political associates, Messrs. Archibald and McCully wish to carry the question, and oppose all Union. Last session he stated that the local revenue under Confederation would be \$390,427—the same years he says in his paper that it would be only \$62,700. Again, last session he admitted that this province under Confederation would receive from the General Government (beside the 80 cents per head of our population) \$731,595. On December 12th of the same year he says that all

the surplus over 80 cents a head would go to the Northwest of Canada. Could inconsistency go further? Then he spoke to us about taxation in Canada—that we would have to pay double what we now pay. The fact is that the people of Canada are not taxed, man for man, as much as we are. He tells us Canada is in debt. So are we. But Canada can point to public works equivalent to her debt—which is more than we can do. The hon. member should know that if Canada falls, we fall too; if she is safe, we are safe. Has not Mr. Howe told us this himself? But what more does Mr. Annand do? He has actually proposed to tax the people to a larger extent than they can, by any possibility, be taxed under Confederation. He is ready to pass a law by which the men of this country shall be sent to Canada when there is no Confederation—when we have no legislative control over her—when we are different countries. He even goes so far as to express his willingness to pay in the same proportion for defence as all other portions of the British Empire. Remember, this is not for the protection of British North America alone, but for the whole Empire. Yet this is the gentleman who objects to Confederation because it may heavily burthen us. I believe that if we have railway communication with Canada, it will be the means of making this country safe from invasion. When we feel we are one people—when we have a national sentiment—when we can present a united population of four millions of people animated by the same interests and affections, we shall have a guarantee of security and prosperity that we cannot have now.

Mr. Howe has told the people that the Citadel of Halifax would not be safe unless we had connection with Canada by means of an Intercolonial Railway. I think that neither he nor his friend, the hon. member for East Halifax should talk about persons being bought. I heard the hon. member quite distinctly say that he could have had money from hon. George Brown if he had wished it, and place and preferment too, if he would only promise to support Confederation. If any person should attempt to bribe me with Canadian or American gold, I would look upon it as the greatest insult that could be offered to a man, however humble. Mr. Brown must have had a very low estimate of the hon. member if he made such an offer; but now the hon. member attempts to deny that he ever made the statement he did on Friday last on the subject. Well, I shall not press the matter further, for he has already been very thoroughly exposed, and all I can say is, that I think the hon. member is the last person in the house to charge others with being bought.

The hon. member told us that he had yet to hear the first argument in favor of union, though he had been a delegate on the question to Canada in 1862. Now, I find that in November last, 1865, he expressed another opinion on the same subject—he wanted another delegation. He thought then he might have a chance of being one of the members sent on the mission. He says:—

"This is our case.

"The Confederation Scheme matured at

Quebec having failed to secure the approval of any one of the four Maritime Provinces, we would suggest that, *with a view to the future of British America*, a convention be summoned, with the sanction of the Crown to deliberate upon the many weighty matters and things which would necessarily be involved in debate upon a *question of such magnitude and importance*. That the convention should be held at such place and at such time as the Governor General, acting under the authority of the Crown, shall determine. And that in the selection of delegates from the several Provinces, due regard shall be observed, besides allotting to each Province a like number of delegates, that the views and opinions of all parties are fairly represented.

"This is our mode of dealing with the question of union. The convention might not, perhaps, agree to any scheme for the future Government of the North American Colonies and their relations with the Mother Country, *although we believe they would*. And whatever the result, every one would feel that the questions of the deepest importance, involving the present welfare and happiness of four millions of people, had been discussed with a full view of their consequences as well to them as to millions yet unborn, and with the full benefit of all that has been said and written to illustrate this truly great theme since the scheme of Confederation was first proposed a little over a year ago" — *Morning Chronicle Nov 15th 1865*

Yet, this is the hon. member who has yet to hear the first argument in favor of Union with Canada. The hon. member's inconsistencies are so glaring that I feel I need hardly pursue further so fruitful a topic.

It has been asked, will Confederation save us? We have been told over and over again that there is no danger from the United States—that they do not want these Provinces. The lessons of history will tell us the reverse. These gentlemen have proved false prophets for the past, and are likely to be so for the future. The whole policy of the United States has been the acquisition of territory. Their ambition is insatiable. They wish to have dominion from the North Pole to the Gulf of Mexico, and from the Atlantic to the Pacific. They have got Texas and California, and a slice of New Brunswick, within a few years, and now they yearn after British North America. If they have had one reason more than another for abrogating the Reciprocity Treaty, it is that they think they will force us to come into the American Union.

The question that we have to decide is, whether we shall belong to the United States or to Great Britain. Shall we have the Red Cross of England, or the Stars and Stripes of the American Republic float over our heads in the future? Shall we have the Queen at St. James's as our Ruler, or the President at the White House in Washington?

What will be the result of annexation I need hardly tell you. We shall be ruined by most frightful taxation; our fishermen, all our industrial class, will be burthened beyond their capacity to bear. Our object should be to continue the

connection with the great empire from which we have sprung, and under whose protecting care the institutions of this country have grown up, and our prosperity has been secured. No one, as I just said, can look at the feeling in the neighboring Republic without seeing that these Provinces are at present in a position of great jeopardy. In the first place, there is the Fenian organization growing up into most formidable pretensions, and behind them is the great mass of the American people animated by the most deadly hostility against England arising out of the late civil war. Then there is the question of the fisheries again looming up, and no one can under-estimate the difficulties and disputes it may originate. We see the Senate of the country itself exhibiting a spirit that looks warlike, and should put us on our guard. They are ready to support their fishermen, if they should enter our harbours and bays, and infringe upon our rights. Suppose war should arise out of this state of things, in what position would Nova Scotia be, isolated as she is now? Comparatively defenceless.

Union, then, will ensure us security; will give us an immense expansion of trade; raise up manufactures, enlarge the political arena; give us the Intercolonial Railway; and above all preserve us from being absorbed by the rapacious American Republic. We have great natural resources, but they must be dormant whilst we have no population or market to raise up manufactures in our midst. As respects the Intercolonial Railway, it is unnecessary for me to repeat what is now an established fact—that we cannot have it without union. The futile efforts of public men of all parties in this Province to obtain its construction are matters of history, and general notoriety. Complete that railroad, and Halifax becomes one of the greatest commercial emporiums of this continent—the New York or Liverpool of the British North American Confederation. No one who looks at the map can believe for a moment that Nova Scotia was intended to remain politically divided from her sister colonies of British North America. She is destined by nature—to quote the sentiment of Mr Howe—"to become the frontage of a mighty Empire." Give us union, and the stream of immigration will be directed to our shores, for then we can offer those inducements to capital and labour that we cannot give in our present isolated condition. If we remain disunited, then the prophecies of these gentlemen in respect to annexation will be realized. The time may come when we shall have the British flag lowered beneath the stars and stripes, and the last gun fired from the Citadel as a British fort. Let the American people feel that there is no British sentiment among us—let us obstinately reject the advice of the British government and people, and annexation will be the inevitable issue. Then the wish of the hon. member for East Halifax will be realized. *The Fenians will have full sway in these Provinces, and the stars and stripes shall float over Citadel Hill*. But I believe that there is a better fate awaiting us—that the loyalty of the people of Nova Scotia is sincere, and that they will see the necessity of union. I believe Confederation is close at hand, and that the

efforts of those who would lead us into annexation, will be effectually foiled by the loyal people. As far as I am concerned, all my interests are bound up with those of this Province—when she is prosperous then I feel satisfied. I am sprung from the early pioneers who helped to build up the prosperity of this country, and all I desire is to see it progress. I feel I would be recreant in my duty to those who have preceded me, as well as to those who may follow me and bear my name if I stood, at this crisis of our history, opposing a scheme which the best minds of Great Britain and British America have declared is indispensable to the continuance of our prosperity, and our connection with the fatherland. On the 24th June '65, the British Government told us through the Colonial Secretary :

“ You will at the same time express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one Government. In the territorial extent of Canada, and in the Maritime and Commercial enterprise of the Lower Provinces, Her Majesty's Government see the elements of power, which only require to be combined in order to secure for these Provinces, which shall possess them all, a place among the most considerable communities of the world. *In the spirit of loyalty to the British Crown of attachment to British connexion, and of love for British Institutions, by which all these Provinces are animated alike, Her Majesty's Government recognize the bond by which all may be combined under one Government.* Such an union seems to Her Majesty's Government to recommend itself to the Provinces on many grounds of moral and material advantages—as giving a well-founded prospect of improved administration and increased prosperity

“ But there is one consideration which Her Majesty's Government feel it more especially their duty to press upon the Legislature of Nova Scotia. Looking to the determination which this country has ever exhibited in regard to the defence of the Colonies as a matter of Imperial concern, the Colonies must recognize a right and even acknowledge an obligation incumbent on the Home Government to urge with earnestness and just authority the measures which they consider most expedient on the part of the Colonists with a view to their own defence.

“ Nor can it be doubtful that the Provinces of British North America are incapable, when separate and divided from each other of making those just and efficient preparations for national defence which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.”

Here you find the British Government imploring us if we are animated by a sincere spirit of loyalty, by a desire to remain connected with Great Britain, to unite without delay. Can any one read these words unmoved? Let me trust that the people will respond to the demand made upon them by those who have the best right to proffer their advice, and hasten the time when we shall be united in one grand Confederation, “with

one flag above our heads, one sentiment in our hearts, with one sovereign and one Constitution.”

TUESDAY, April 17, 1866.

The House met at 3 o'clock.

UNION OF THE COLONIES.

Mr. MILLER presented a large number of petitions from Antigua on the subject of Confederation.

Mr. ROSS presented two petitions from St. Anns' on the same subject.

The adjourned debate was resumed.

Mr. S. CAMPBELL said:—I quite concur with those gentlemen who have attributed to this subject a magnitude and importance second to none that has ever been discussed in this House. Notwithstanding that there has been a good deal of excitement brought into this debate, and something more than excitement, a good deal of temper, it shall be my endeavor so to moderate my tone and language that not only shall these be in keeping with Parliamentary decorum, but the remarks which I have to offer shall be otherwise entitled to the calm and sober consideration and reflection of the members around these benches. In short I shall not, in addressing this Assembly, exhibit any other demeanor or style of intercourse than that which I practice everywhere. On looking at the past I find satisfaction and comfort in the reflection that my bearing in the debates that have taken place here has been such as to enable me to meet gentlemen on all sides in pleasant relations, and I hope that in the future nothing will transpire to alter the character in those relations. On this subject, sir, I cannot but express regret that those from whom a better example should have proceeded should not have preserved something like moderation and decorum. Those who are in opposition are always most likely to be excited, but those in charge of a great measure such as this, especially the members of the government of the country, should ever feel it incumbent upon them so to guard themselves in this respect that no one here or elsewhere can possibly offer an objection to the course they have pursued. And, sir, I feel in observing on this portion of the discussion, that I have reason to charge the Provincial Secretary with having imported into this debate matters which should never have been brought here. He has alluded to the press—that is a branch of our constitution, if I may so term it, that ought not to be so frequently and so prominently referred to here. We know that on all sides and on all subjects political characters are apt to speak and write strongly and to go to those extremes which cannot be justified in or out of Parliament. But in my view, it was unjust in him to attribute licentiousness to one portion of the press rather than to others, for on all sides we find observations, criminations, and recriminations, which render both liable to censure. The less that is said in this place about the press the better, and with this remark I shall dismiss all further allusions to that branch of the subject. But the Provincial Secretary was not content with references to the press, he introduced into the debate other authorities and influences that should not have been referred to here. Least of all should he have brought here the name of that illustrious lady, the

Queen of these realms, one whom, by virtue of her position no less than by the virtues that surround her throne, every British subject is bound at all times to venerate. That Sovereign not only commands the respect of every subject of her Crown—her virtues are not alone the theme of every British lip and the pride of every British heart, but surrounding nations attest her worth and admire her example. But it is a gross breach of parliamentary decorum to mention that name here. Disloyalty has been charged upon those who stand in opposition to the present proposition; as one I repel it with indignation. It is not in my nature, as it is not in my name, to harbour for an instant a disloyal sentiment. I can proudly appeal to the history of our country and ask if any who have borne the name which I have the honour to bear, could ever be supposed to be tainted with that vile trait? Sir, as a British subject, entitled to the free exercise of an undoubted right, I intend to deal with this question, and if, in doing so, any aspersion touching my loyalty to my Sovereign be cast upon me, I shall hurl it back with utter contempt and thorough indignation upon its author. Sir, I regret deeply that Her Majesty's name has been brought into this discussion; I do not regard it as of so much consequence that Her Ministers have been mentioned, because it is at all times the privilege and indeed the duty of every subject to criticise their acts. We have been told too that the Queen's representative in this country was in favor of the present measure;—sir, I attach the same importance and distinction to the representative of the crown as to the crown itself; it is Her Majesty speaking by her properly authorized agent, and the rules which apply to the exclusion of the Queen's name from debates in Parliament should apply equally to the exclusion of the Lieut. Governor's name. We have been also told that the General in command and other distinguished individuals, civil, religious and military, are combined in favor of the measure. But, sir, notwithstanding all this potential phalanx that is arrayed in its favor I feel that I am a free man, I claim the rights and attributes of a free man, speaking in the presence of a British free Assembly, I have the right to criticise the judgment they have formed and an equal right to give expression to my own. Therefore when this list of authorities is paraded before us I cannot but feel that it is an empty parade—it is worth nothing in my estimation—it does not weigh a tittle in the scale. I feel, sir, and I claim the right to express the sentiment, that those individuals, eminent though they be, are not more capable of forming an opinion upon this subject than myself, and I might add that my judgment is formed under the influence of a responsibility which does not attach to them. In saying this I mean no disrespect to any of them, and I feel well assured that none of them would charge me with any design of disrespect. I therefore think that the allusions to which I have referred were unjust and reprehensible attempts to influence this Assembly. What is the measure that we are now called upon to sanction? Twist it or turn it as you please, it is no less than a decided change in our constitution; and how has the scheme effecting that change been brought

here? Have the people of this country at any time suggested the expediency of the proposal to the government or to the legislature? No sir. This house was elected entirely independent of that question—it was not before the people when we were elected. Had the case been otherwise we should not perhaps have seen the faces of some gentlemen who are sitting here to-day. It seems, however, that a good many years ago the question of a Confederation of the British North American Colonies was propounded in this house:—I would ask those who were present at that time whether it was intended to be a practical measure—a proposition to result in anything, or was it a mere theoretical declaration of the abstract advantages of union? No one can presume to say that it was anything more than the latter. Again, some years ago this house, by a pretty large majority, declared it expedient that a delegation should proceed to England to confer with delegates from the neighbouring Provinces to ascertain whether it was not desirable and practicable to effect a union between the Maritime Provinces of British North America. But, sir, that was a very different idea from that now pressed upon our attention. What is the condition of these Maritime Provinces? Their people are situated in connection with each other—are possessed of the same interests, have the same common sympathies, residing on each other's borders, and having daily intercourse with each other. Is that the character of the people with whom this scheme is to force us to unite? Why, as we know, there is a wilderness between the Lower Provinces and Canada, we have no sympathies or interests in common with the people of that country. They are as much strangers to us as the people of West Indies. Surely those gentlemen who talk so vociferously about disloyalty can have no sympathy with the people of a Colony in which disloyalty has been so rife as it has been in Canada. This House proposed a delegation for a union with a people with whom, as I have said, we had many interests in common, and who, if the union were consummated, would form with us one homogeneous whole. What then happened? For some reason or other those charged with the authority to perform this duty which I have mentioned felt themselves at liberty to disregard the authority of this House. They went to Prince Edward Island and there they found another body of gentlemen from Canada,—instead of turning back as they should have done, and asking this Legislature to consent to a conference with delegates from that country they ignored our feelings and authority and went straight into the arms of the Canadian delegates. That was the first step, and it was a fatal step—a step subversive of the powers of the Legislature, and injuries to the feelings and interests of the people of this country. That was the step which has caused so much agitation, so many heartburnings, if not worse, throughout this country. Had they come back here and told the people of this Province that they failed in their original mission, and that no Union of the Maritime Provinces could be effected, they would at least have afforded the people an opportunity of saying how far they were disposed to go into the large question; they did not do this, but they took upon themselves the whole responsibility of concocting the scheme called

Quebec scheme. Many gentlemen have hitherto spoken of the scheme then arranged, but I have been surprised that long as it has been before scarcely one syllable has been uttered in this debate in reference to it. It has been praised abroad as a great and magnificent scheme, but what is its position now? "But yesterday it might have stood against the world, now none so poor to do it reverence," and it is here, or not here just as men may choose.

We have heard something about the petitions presented to this house against Confederation, we have yet heard nothing of petitions in its favor. And now we are asked to deliberately ignore the expressed sentiments of this people: we are told that these petitions are to be disregarded, and that no notice is to be taken of the rights of the electors. We are reminded of the action of the British Parliament in dealing with the Reform question, and we are told that that measure involved an important change in the constitution of the country and no one ever contended that Parliament was incompetent to deal with it without reference to the people; but, will any one tell me that the question was not before the people of Great Britain before the last General Election? That is the answer which I give to those who assert that this legislature has the right to deal with an irrevocable change in the Constitution, and refer to the action of the British Parliament in justification of the step. The subject of Reform was, as I have stated, before the people of England previously to the General Election held there, and if it had not been for the influence of one of the greatest statesmen that England ever saw, that question would have had more bearing on the results of that election than it had; gentlemen, therefore, must not refer to that as any example for denying to the people of this country the opportunity of passing on the present measure. It has indeed been pretended that the people of this country are in favor of this important step, but I ask gentlemen around these seats if they can say so consistently with the honest and deliberate sentiments of their minds, unoperated upon by any pressure? Is there a majority here who will say that the majority of the people are in favor of the Quebec scheme? No sir, I will not be content with that, I will ask is there a majority of the people in favor of any union? I deny it, and I have some means of fortifying the assertion. In the course of the last two years since the question has been agitated in the country, there have been no less than three appeals to the constituencies of this Province, and they are not by any means the most inconsiderable of our constituencies. There is the county of Annapolis which for many years elected to a seat within these walls a gentleman who, without reference to politics, I would say was one of the first men in this country, and the fact of their returning that gentleman proves the electors of that county to be among the most intelligent constituencies of the Province. Since this question has been agitated that constituency has spoken, and how? By an immense majority it returned the present

member, Mr. Ray. Another constituency, one of the most populous and thriving in the Province, that of Lunenburg, was opened. Shall I be told that the question was not before the people of Lunenburg? I heard one of the representatives of that county, Mr. Kaulback, say to yesterday, but I have in my possession testimony that will confirm me in the statement that that constituency pronounced on this question when by a very large majority they elected the present member, Mr. Hebb. I go then to the township of Yarmouth, and the gentlemen who represent that constituency need not be ashamed of it—for if there be a portion of the province in which active industry and enterprise prevail, it is the township of Yarmouth—Her ships are on every sea. Look abroad at all quarters of the globe, and you see Yarmouth ships and Yarmouth men. When I am told, then, that the opinions of this constituency are to be disregarded, or that their views upon this measure were not expressed, I feel that I must turn a deaf ear to such statements, because they are abundantly contradicted by the facts and circumstances. But some gentlemen argue that on this question, of all questions, the people should not be appealed to, because the people would decide on other issues and not on this. From whom does this statement come? Does it not come from those who ought to use language more respectful,—language precisely the reverse—from the administration which the breath of the people has created? It comes from gentlemen who hold their offices by virtue of the popular voice, and yet the inhabitants of this country are to be told that they are incapable of pronouncing a judgment on this particular question; that other subjects would be introduced, and that no decision could be obtained upon this particular subject. Have the people lost all discernment and discrimination that this, the most important question that ever agitated the public mind, is one upon which no reliable opinion could be formed and expressed. Sir, I think very differently of the people; I believe they would appreciate the magnitude of the proposition, and while they would be disposed to condemn much of the public conduct of the administration, their intelligent discernment would lead them to sink all other considerations and all other questions of policy, in order that upon this they might pronounce the decisions of their minds and hearts. It will be perceived that I am for submitting this question to the people. Sir, I hold that in a matter which concerns their interests for all time to come, it is our duty to them. But taking the argument of the other side, and supposing that the people are not as intelligent as I assert they are, there is another mode of testing their opinions, and that is by submitting to them the question of Confederation, pure and simple. We are told that this is not a British practice—that there is no precedent for this; but I reply that we have on our statute book a precedent established by a gentleman long before the public eye, and now holding an important public position, I refer to the Judge in Equity. The

provisions of the Municipal Corporation Bill required that it should be submitted for every man to vote upon, favorably or otherwise, and I therefore maintain that we have an illustrious precedent for the course that we suggest. But if there were no precedent, I might properly introduce here what was improperly introduced the other day by the Att. General, a reference to the law of necessity—I would say, here is a case the like of which has never occurred, and for which there can be no precedent,—here is an unparalleled case, and therefore we are justified in establishing a precedent. We can find no precedent for the attempt to subvert and destroy the constitution of the country, and hence I think that in this special emergency we are not merely at liberty but are abundantly and imperatively called upon to take that course which will best meet the necessities of the case and promote the interests of the people. It lies not upon us who oppose this measure, but upon those who insist on its passage, to prove the necessity uncalled for by the people for taking away the institutions of the country. Sir, I was astonished when I was told yesterday that in addition to all the arguments that could be adduced in favor of Confederation the circumstance that all the lawyers and trained politicians were in favor of it should be a reason for the adoption of the scheme without any appeal to them. Sir, I protest against such a doctrine, and the people will protest against it, and I fancy I can hear them say—“It is all very well for the lawyers and trained politicians to be in favor of the measure, they are those who are to be most largely benefitted by the change—these are the men who are to be the ‘upper ten.’” That is something like the language that they will use, nor will it be inappropriate. But, sir, it is not for lawyers or for trained politicians that we are to act in this place. This is the people’s house; their interests must be the polar-star of every man’s action here, and this measure is to affect those interests for weal or for woe for ever.

Mr. S. McDONNELL:—I am glad we have one honest lawyer in the house.

Mr. S. CAMPBELL continued. After the course which the hon and learned member has taken, nothing he can say will at all affect my sensibilities, and I think his remarks will pass with little notice at the hands of every one else. But, sir, while he has suggested to my mind this observation upon the course which he has pursued, I will not suffer myself to be hurried into a charge against any member of being a traitor. I shall pursue the course which my conscience suggests, and leave it to others to settle their own course before the same tribunal. I hope the verdict may give the same satisfaction as that which I am now experiencing. I have referred to the necessity for an appeal to the people, and if I stood alone, I would insist on the propriety and the justice of that cause. But, sir, we have been told that because Fenianism is rampant, and because the Reciprocity Treaty has been abrogated, we should go into Confederation. Before the Re-

ciprocities Treaty existed we were not confederated, and I have too much faith in the industry and enterprise of our people to imagine that the repeal of that treaty will materially impede our progress. As regards Fenianism, I am at a loss to see the connection between that subject and this. If New Brunswick be threatened, does any one feel it to be necessary to confederate for greater security? In view of that state of things, I ask myself—Does the British Government intend to retain these Provinces or not? If they do, New Brunswick is safe—Confederation will not make it safer. If the United States desired to have possession of British North America, and Great Britain be unwilling to defend us, is Confederation going to save us? We have heard the story about defences. Well, I am but a young soldier, but I cannot understand how on that branch of the subject any argument can be founded. British North America is now a portion of the British Empire, the people of these colonies owe fealty and allegiance to the British Crown, and while that allegiance is given and that fealty paid, a corresponding duty rests upon the British Government to afford protection to Nova Scotia, New Brunswick, and Prince Edward Island, on the same ground as that on which they protect Kent, Surrey, or Middlesex, or any other county of the British Isles. Sir, I assert that Great Britain is not only bound but is disposed to maintain her authority in these countries, and to afford us protection as British subjects. As a Nova Scotian and as a British subject dwelling upon British soil, I shall be prepared at all times to sanction any means of co-operation with the British government to maintain in these colonies the integrity of the British Empire.

It has been said, and truly said, that Confederation will not give us a man or a pound more than we have now. No one in this house has argued the question in a military point of view, but even arguing it in that aspect nothing can disturb the fact to which I have referred, that we would have no greater power than now, and it is a libel on the British Government to say that if we do not adopt the scheme we will be deserted. No sir, I believe that England would no more desert us in the hour of extremity than a parent would desert his child in the hour of danger. It is not the desire or intention, it has never been the policy of the British government to deal with these Provinces in any other manner than comported with the wishes of the people. Reference has been made to the despatches of Mr. Cardwell,—I wish that statesmen were here on the floor of this House to-day to hear, as he would, that it is the desire of a number of members, and of the majority of the people of this country that the question should be submitted for their consideration at the polls. Were he here I feel safe in saying that as a British statesman charged with the protection of Her Majesty’s subjects, he would not hesitate to command the government of this country to submit the measure to the people. The British government, as I have said, have no other interest in dealing with us than to further our wishes. Let us go

back to the period when the mother country gave us a constitution; what was the language of the Imperial ministry then? It amounted to this, "Only tell us what you want and you shall have it, you shall be governed according to the well understood wishes of your own people, we will not interfere, the constitution which you propose shall be the one that we will maintain." That constitution has continued to be ours from that day to this, and it is one that I will strive to guard. It does indeed come with a bad grace from men brought, I may almost say, from the backwoods of the country, who but for that constitution would never have dreamed of being elevated to the positions they now fill,—I say it comes with a bad grace from them to strike down the constitution from which they have derived such distinction. I trust that they will pause before doing so, and if they reflect for a moment upon the consequences of the present measure, if they reflect that when once done it cannot be undone, that this decree which we are called upon to pass will be irrevocable and irretrievable, they will see how great will be the evils that must ensue. If we have a ministry that is not agreeable to our wishes, and that does not promote the interests of the country, we may bear with it for a while, knowing that the time will come when the people will assert their rights and substitute better men, but in reference to this measure only pass it now and it will be passed forever—the doom of Nova Scotia will then be sealed. I have not said a word as to my views respecting union in the abstract. I find Nova Scotia a happy, prosperous, loyal country; I find her on the high road of progress and advancement, a country in which every man may pursue industry in any branch he may select, a country enjoying civil and religious liberty in the largest degree, I find her a comparatively untaxed country, enjoying blessings and advantages not to be found in any other country beneath the sun, and these are to be lost or to be perilled for what? Where is the necessity for the change? Until I can see some greater necessity than I now see, my banner shall be Nova Scotia for Nova Scotians, my device shall be that the privileges we now enjoy shall be maintained inviolate. At present "I seek no change, and least of all such a change as this would bring us." Mr. Speaker, I hold in my hand a resolution which I intend to offer in vindication of my position. I trust it will meet with the concurrence of a large number of members.

This resolution recites among other matters the fact that an unauthorized conference was held at Quebec. It further recites the proceedings, and generally covers the ground and antecedents of the present question. In reference to the present condition of the Province—I mean the present crisis of alarm and danger—I would ask in what position would every man who truly loved his country desire to see her stand? He would desire to see his countrymen one in heart, and hand in hand, without any question agitating their minds in connection with political considerations. Our people, especially at the present moment, should have but one object in view,—

to arrest the common danger and save the common country. At such a crisis it is above all things necessary, just, and wise, that there should be but one sentiment abroad—that of loyalty to the British Crown, and that of a determination to sustain the integrity of the British Empire. It is because an agitation such as this measure is inducing will produce consequences of an unfavorable character, consequences affecting the regard of the people for the institutions under which they live, and dividing their power to resist an enemy, if an enemy should venture an attack; it is because, in addition to the other objections which I have stated that I am apprehensive of such results as these, that I ask this house to pause before they consummate a union which the people do not desire—one in fact against which they have petitioned, and that at a time when they should be found warm in their allegiance, as united as one man to protect the soil on which they live and upon which they hope to die. In opposing this perilous consummation, I am discharging my duty to my constituents, to myself, and to the country at large. I do trust, that wedded though some gentlemen in high position may be to this measure, the house, in view of the present danger, will stop at the point of consummation of this act. It may matter not to me individually what the decision of this house may be; it may be that in the changes of political life, when the term of this Legislature expires, I may not be found again within these walls, or have the ambition to seek another country for the advancement of my position—but there are those behind us whose interests to all futurity are involved, and in their name I beseech the Government of the country, the constitutional guardians of the people, to pause, ere they force upon a loyal population a scheme against which the country is arrayed, and which must inevitably engender feelings which will militate in all time to come with the true interests of that common country within whose borders it is our pride and privilege to dwell. Entertaining these opinions, I offer for the consideration of the house the following amendment;—

"Whereas certain resolutions were adopted at a Conference of Delegates from the Provinces of Canada, Nova Scotia, and New Brunswick, and the Colonies of Newfoundland and Prince Edward Island, held at the city of Quebec on the 10th day of October, 1864, as the basis of a proposed Confederation of those Provinces and Colonies.

"And whereas such Conference was held without the authority or sanction of the Legislature and people of this Province.

"And whereas, since the holding of such Conference, and the adoption of such resolutions, no general election has been held in this Province, but three special elections in the important constituencies of Annapolis, Lunenburg, and Yarmouth, have taken place; and at such elections the people at the polls have expressed themselves as decidedly hostile to the proposed Confederation, and the members elected by such constituencies are prepared to act in obedience to the declared wishes of their constituencies.

"And whereas, during the last, and at the present session of the Legislature of this Province, petitions very numerous signed, and coming from every constituency in Nova Scotia, have earnestly prayed that this House would refuse its concurrence in the arrangement for the Confederation in question; and further, that no measure, involving a fundamental

change in the institutions of the country, should be attempted to be passed by any Government until the people were afforded the opportunity of giving a legitimate expression to their wishes respecting it at the polls.

"And whereas, with a single exception, no petitions have ever been presented to this House praying for the ratification of such or any other scheme for Confederation, and in the absence of a decided and distinct expression in favor thereof, by a large majority of the people of this Province, it would, especially at the present crisis, be unwise, and dangerous to the peace and general interests of the country, to force the same upon the acceptance of its people.

"Resolved therefore, that it is the opinion and sense of this House that the Government and Legislature of this Province should be no parties to the consummation of any scheme for the Confederation of the British North American Provinces and Colonies, until an opportunity shall have been first afforded to the several constituencies of the Province at large to express their views and opinions thereon in a constitutional manner at the polls."

SPEECH OF DR. HAMILTON.

Dr. HAMILTON said:—If ever there was a question of magnitude before the Legislature it is the one which is now under discussion. I would have wished that this question had been discussed more on its own merits, but unfortunately it has assumed a party aspect to a large extent, and a great deal of irrelevant matter has been introduced. It is a subject which has agitated the public mind for a length of time, though it has never assumed so serious an aspect as at present. There are two or three points in which this question may be viewed. I will say first that any question should be considered first in reference to its merits, and again in connection with the parties who are in favour or are opposed to it. There is now some ground upon which to base an argument or there is not. In all the discussions that I have heard since this question has been up there are few persons who have taken that stand upon which it appears to me its merits demand. As one of the people of Nova Scotia, as one having an interest in its welfare, in every particular, I would like to see the question settled on its own merits for the benefit of this Province as well as of all British North America. It is one which not only affects us at the present time, but for our future for weal and woe. Consequently a hasty decision or an improper action might be calculated to injure this Province irremediably. It is true the question has been before the public for some time. It has been discussed since the delegation returned from Canada, as well as in the Press, though not in that intelligent and deliberate manner necessary to enable the people to come to a fair and honest conclusion. We are here as a part and parcel of the British Empire—lying between the Atlantic and the Pacific—and we must be very materially affected by whatever position this question assumes in the future. In considering this question, we must not look at it in its pounds, shillings and pence view only, but in connection with our duties to the British Empire. Changes are continually going on in the world, in reference to political questions more especially. We find that the constitution which Nova Scotia had some thirty or forty years ago, cannot be that of the present day. Refinement, education, and the resources of the province,

are daily and gradually improving—we have to pass and amend laws continually, as the country progresses. I regret that this question should have assumed the party aspect it has. Like Education, it should be kept free from anything that may give it a party character, and should be determined in accordance with the best interests of the people. The future of these Provinces, as consolidated, has been fully portrayed by a great number of gentlemen who have preceded me and spoken on the subject, and therefore it will not be necessary for me to deal with that part of the question. It is true that Nova Scotia is a choice little Province, and has got along very well for the last fifty years, and I would be quite content to let things go on as they are, if I had a guarantee of their continuance. Whilst we have not this guarantee, it is necessary to prepare for any emergency that may arise. If the Provinces were consolidated into one empire—perhaps that term is too extensive—or a Confederation, we would have unity of action, design and sentiment. If that would be the result we would have union which is strength, population which is wealth, and knowledge which is power. I think a confederation of British North America might be so arranged and so adapted to our wants and circumstances that their combination would be brought about to benefit the whole. I will suppose that the United States had remained different and independent States, and had not united, what would have been the result? Would the 13 States be the 32 United States with all the power and influence that they now exercise under the one government managed by one general legislature—with identity of interest, purpose and design. If each had chosen its own president—its own representatives—arranged its own trade relations, customs, and revenues would not the state of things on this continent present a very different aspect at this present time. I want to know if Massachusetts could have become the great manufacturing state she now is, if the hostile tariffs and arrangements that exist between the States were in force. The question has been asked if we have territory enough to form a Confederation. As far as territory is concerned, extending from the Atlantic to the Pacific, and from 42 degrees to the North Pole, British North America is much larger than the present United States, and is under British control. I think that this territory is enough to form a small kingdom in connection with the British Empire. I don't think I can do better than to read an extract from a work, speaking of the territory that would form the proposed Confederation.

"1. Come from whose hand it may, the resolution before the committee opens for discussion the broadest field, the noblest subject ever presented to the consideration of this Legislature. A day, or even a week, may be well spent upon such a theme. If, sir, such topics were oftener presented here our ideas would expand beyond the charmed, it may be, but the contracted circle of party disputations; our debates would assume a higher tone; and the hopes and aspirations of our people, clustering around their fire-sides, would point to interests more enduring than

even the result of half our controversies—some poorly paid office, or paltry Provincial institution

2. But yet, rising with the magnitude of this great theme, I shall endeavour to catch its inspiration; remembering only that I am a Nova Scotian, the son of a loyalist, a North American, a true subject of the Queen; but one whose allegiance, to be perfect, must include every attribute of manhood, every privilege of the empire.

3. In no vain spirit do I wish also that the sentiments which I am about to utter might be heard and pondered, not only as they will be by those who in habit half this continent, but by members of the British Parliament, by Imperial statesmen, by the Councillors who stand around, and by the Gracious Sovereign who sits upon the throne.

4. Sir, the first question which we men of the North must put to ourselves is, Have we a territory large enough of which to form a nation? At the risk of travelling over some of the ground trodden over yesterday by the learned member for Annapolis. I think it can be shown that we have. Beneath, behind, and around us, stretching away from the Atlantic to the Pacific. All Europe, with its family of nations, contains but three million seven hundred and eight thousand, or two hundred and ninety-two thousand miles less. The United States include three hundred and thirty thousand five hundred and seventy-two square miles, or seven hundred and sixty-nine thousand, one hundred and twenty-eight less than British America.

5. We North Americans, living under the British flag, have one-ninth of the whole, and this ought to give us "ample room and verge enough" for the accommodation and support of a countless population.

6. The great Province of Canada is equal in size to Great Britain, France, and Prussia. Charmed by her classic recollections, how apt are we to magnify every thing in the Old World, and to imagine that Providence has been kind to her alone. Yet the noble St. Lawrence is equal in proportion to the Nile—the great granary of the East which, from the days of patriarchs, has fed millions with its produce. Take the Italian's Po, the Frenchman's Rhone, the Englishman's Thames, the German's Rhine, and Spaniard's T-gus, and roll them into a stream equal to the St. Lawrence. The great lakes of Canada are larger in volume than the Caspian Sea; and the Gulf of St. Lawrence (with which we are so familiar that we forget what it is), contains a surface of one hundred thousand square miles, and is as large as the Black Sea, on which the proud fleets of four hostile nations may at this very moment be engaged. Accustomed to think and feel as Colonists, it is difficult for us to imagine that the Baltic, illustrated by Nelson's achievements and Campbell's verse, is not something different from the Gulf of St. Lawrence, and yet it is not. Its dimensions are about the same; its climate rigorous; its coast originally sterile, and the sea kings and warriors who came out of it, made of no better stuff than are the men who shoot seals on the ice flakes of Newfoundland, till farms on the green hills of Pictou, or fell trees in the forests of New Brunswick."

I think it would not require anything more from me to show that there is territory enough to make a nation, which I trust, if it does come to that—will be ruled by the mild sway of Queen Victoria. In this extensive territory we have a great many natural advantages—we have agricultural capabilities, we have forests and the fisheries, iron, coal and gold, and a variety of other sources of wealth. It is water power, coal and iron, that enable a country to excel in manufactures. We have spread all over the face of the country these substantial elements to make a people great. I need not speak of the harbours bays and rivers, for they are innumerable. There is no more healthy climate in the world than we have in British North America. We are away from the fever of the South; and

it is true we have cold, severe winter in many parts of the Provinces, but, at the same time, it always invigorates the body and improves the activity of the mind, and renders the people who occupy this territory equal in physical vigor and mental power to those of any portion of the world. I might refer you to statistical tables to shew the health of the country, but I do not wish to weary you. In this territory we have about 4,000,000 of population, rapidly increasing. That population consists of farmers, fishermen and miners, seamen, lumbermen, &c., who are well calculated to bring to fruition all the various resources which are necessary for our support and happiness. There are no conflicting interests between these Provinces. Nova Scotia has fishing, mining and agricultural capabilities. New Brunswick is agricultural and lumbering; Canada the same; P. E. Island is purely agricultural; Newfoundland is a fishing community; therefore you have in these Provinces the various elements that constitute greatness, and the Union will combine these elements. Therefore an interchange of commodities would take place from time to time, as circumstances require it. There are various objections urged to a Union with Canada. One is, because she rebelled in 1837, or rather manifested a rebellious spirit. I do not like to see that spirit, but it there was not something of the same kind in Nova Scotia, there was at least a good deal of excitement and feeling manifested when Canada assumed the position she did. In view, however, of the many evidences of loyalty that Canada has exhibited in times past, it is hardly worth while to charge upon her that, many years since she was dissatisfied in consequence of the existence of political grievances. Canada, we are told again, is greatly in debt. If she has an amount of debt which is greater than that of Nova Scotia at the present day, but not equal to that of New Brunswick in comparison with their respective populations, she has an amount of wealth to show for it that perhaps no other Province among the whole can show. I think the debt of Canada is about \$21.60 a head; in New Brunswick it is \$23. Nova Scotia is getting fast on to the stage that Canada has reached. The last estimate was \$16 or \$17. By the time all her public works are completed, she will have as large a debt as Canada, but whether she will have as much to show for it as Canada is quite another question. With regard to the productive wealth of Canada, there are no less than 500,000 persons who cultivate the soil directly or indirectly. There are 237,654 persons who own and occupy farms. The value of the farms is put down at \$464,322,217. The value of products annually raised is no less than \$100,000,000. She has 2000 miles of railway, 216 miles of canals, valued at \$16,000,000. She has 40 colleges, with 8,000 students; 8,000 Grammar and Common Schools, educating 500,000 pupils, and the most perfect system of education in the world. If this is a country that is dangerous to unite with, it appears to me that the gentlemen around these benches misunderstand the resources and state of Canada at the present time. In

Canada every fifth person is at school—in Nova Scotia one-tenth,—that is, under the old law. The per centage of education in Canada is greater than that in New York, Massachusetts, or Pennsylvania. I think, therefore, that those who undertake to say that Canada is a country not to be desired—that we cannot either properly or judiciously unite with her—have not taken the trouble to inform themselves upon these facts that are within their reach. The greatest misrepresentation has been sent to the country by the Anti-Union press concerning Canada. Not a fight occurs, not a train runs off the track and kills one or two persons in that Province but it is blazoned forth in that press; but you hear nothing of the great capabilities of the country, and the surplus of crops and revenue.—With regard to the subject of Union and the Quebec scheme, I shall only remark on one or two points, for the whole subject has been already most fully and ably discussed. Some 15 years ago the hon. member for East Halifax introduced a bill to provide for representation by population; but I think nothing was done with it. A few years afterwards it was introduced again. We had a very unequal representation: Queens with her population of 9,000 had as large a representation as Pictou with her 29,000 people. Hants had five, Annapolis three, and Kings four members, with nearly an equal population. This discrepancy could not be accounted for on any just principle. This state of things has been the result of the progress of time. Whenever a dead-lock occurred between parties, and government necessities demanded it, the representation of some particular county was increased. It will be remembered what a hue and cry was raised when a bill was introduced by the present Judge in Equity to alter and equalize the representation of the country. My own opinion is that there is no other true principle than representation by population. It has been said that wealth should be the basis. When discussing this question with a gentleman who has since passed away, I asked him: as Halifax has an amount of wealth equal to Lunenburg, Queens, Shelburne, Yarmouth and Digby combined would you give her the same representation that all these counties have? Certainly you would not. Take production again. I might bring statistics to show that there is more production in Antigonish than in any other county in the province, according to her population. Guysboro is another county which produces very heavily in fish, etc. Therefore I cannot see that it is possible to base representation upon any other principle than population. My attention has been turned to this subject ever since the hon. member for East Halifax introduced the bill I spoke of, and I have come to this conclusion. If you form a union with the other provinces, on what other principle can you base it? You could not base it on wealth, or production, or territory. Population is the only true and safe principle. Therefore, so far as that principle in the Quebec scheme is concerned, it has my hearty cooperation.

With regard to the financial part of the scheme that has been so fully and ably dealt with by Mr. Archibald and other gentlemen who are generally considered *au fait* with figures, that it would be idle for me to say anything on the subject. A great deal has been said on the subject, and were I to compare all the calculations that have been made, you would see what a diversity of opinion exists. Take the resources of Canada and divide it into population, and do the same with Nova Scotia or any other of the Colonies, and you will find pretty much the same result—only a few cents difference. Take the expenses of the government, and you find very much the same thing. Canada is obliged to collect a large amount of revenue on certain articles of importation, for she manufactures more largely than we do.

I shall now turn your attention to another feature in this question. Let me suppose that there is an individual desperately sick. The physician attending him feels hardly able to grapple with the disease alone, and calls in assistance. The physicians then hold a consultation, but they may disagree. How are they to settle the difficulty? They will consult the best authorities on the question and the men who have written and given the results of their experience, and the issue is that the weight of authority carries the day. The same thing may be said in respect to a Court of Law. The Judges consult the authorities, and bring to bear all the examples relating to the case, and decide accordingly. I do not wish to draw any invidious comparisons between individuals, but I would ask who have advocated Confederation in Nova Scotia. We find on the list the late Mr. J. Uniacke, the present Judge in Equity, Mr. Howe, the Chief Justice, the Provincial Secretary, Mr. Archibald, Hon. Mr. Henry, Hon. Mr. McCully, Hon. Mr. Ritchie, and others I need not now name. Here is an array of men who have occupied a very prominent position in Nova Scotia; every one of these gentlemen have expressed themselves in favor of Union, and no better authorities can be cited than they. Mr. Howe said, years ago, it was the dream of his boyhood and the purpose of his political life but I am told that it was only a theory with him—theory generally precedes practice. Now is the time to put that theory into practice—never was there a more auspicious period to do so than now. When I say that the most eminent men in this Province have supported, and are supporting Confederation, I need hardly add that the same thing may be fairly stated of the other Provinces. Whom have we in opposition to this scheme? We have the hon. member for Guysboro, who may be presumed to be the leader of the Opposition since he introduced the amendment to the original resolution. We have Mr. Jones, Mr. Andrew Uniacke, and two or three other gentlemen in Halifax. I do not wish to make any invidious comparisons between these gentlemen. If you can produce an array of talent against Confederation like what I have given as supporting it, I would like to hear of it. I will merely say that from the year 1834 up to the present time I have been a reader of the "Nova Scotian"

and "Morning Chronicle," and I must confess that if I have been impressed in favour of Confederation it has been from perusing the able and eloquent writings and speeches of Mr. Howe on the subject. Mr. Howe's opposition cannot now effect anything, he cannot wipe away the principles to establish which he has devoted his whole public life. It will be remembered that, some time ago, he wrote a letter denying that he had written anything on the subject of Confederation.

Now I have always entertained the opinion that he has been opposing the scheme from its very inception by the present government. I have read his productions so long, that I can detect them anywhere. If he would come out under his own name, and oppose the scheme fairly and honorably, I would respect him much more than I can possibly under present circumstances. He said he had not written a line to any one, except to his wife. A gentleman told me that he saw an article that was corrected by Mr. Howe's own hand; and yet a short time before he published a letter in "The Reporter" which was copied generally by the press, stating that he had not written an article for several months. I received a letter last night from a friend of mine in the country, who writes that he hopes the House will adopt Confederation. He is one of the most influential men in my own county, and has been an admirer of Mr. Howe, but he speaks in the strongest terms against the course pursued by that gentleman on this question. I met a gentleman last night from Cornwallis, and I asked him what was the feeling in Kings. "Mr. Howe has done two things," was the reply; "he has cemented the Conservatives to a man, and has divided the progressive Liberals from those who are opposed to union and progress."

As respects the hon. member for East Halifax, he has been on both sides of this question. He puts me in mind of the boy who complained to his mother that Bill took all his portion of the bed out of the middle, and he had to lie on both sides. I regret that he should have introduced into this debate the reference he made to the Queen, to the representative of Majesty, and to hon. G. O. Brown. It is not necessary to refer to the papers that support Confederation. It has been said that clergymen have no right to deal with matters like this. Clergymen, I contend, exercise their legitimate functions when they instruct their people in an important crisis. Therefore I believe that the religious press is only performing its duty in discussing this question and advising the people on the subject. Temperate and argumentative articles have appeared in its columns, and no fault can be found with it for pursuing this course. As respects the secular press, the weight of authority is in favor of Confederation. The only influential press that opposes the measure is the Chronicle, and we all know the inconsistent and extraordinary course it has pursued. Therefore, whether you take the leading presses or the ablest minds in the country, you find the overwhelming weight of authority in favor of Confederation.

I have had consultation with many leading men in my own County and they have said that

they believe the time has come to adopt Union.—As respects the question of an appeal to the people, that has been very effectually settled by Mr. Blanchard and the circumstance which was brought to the notice of the House by the hon member for Guysboro does not apply at all. Mr. Johnston succeeded after a great deal of exertion, in passing the Municipal Incorporation Bill through the Legislature, but it was with the proviso that it should be left to the acceptance or rejection by the people. That was the clog put on it by the Liberal Government. The only two Wards in Kings that adopted it were those where meetings were held and the question was fully discussed. An important change took place some years ago in reference to Government when the Departmental System was introduced. I do not remember that it was submitted to the polls. I believe the people's representatives have the right to judge of the matter themselves. It will be remembered that the *Morning Chronicle's* second exposition of a well known despatch from the Col Secretary was, that it meant "the well understood wishes of the educated portion of the people as expressed by their representatives." Assuming this to be correct, I think it would be found that if the present question was submitted to the polls, we would not get "the well understood wishes" of the more intelligent portion of the community, as this question would be mixed up with the school bill, and other matters connected with the government of the day. I believe the people have the right, not only to discuss questions of public policy at meetings held for that purpose, but they have the right of petitioning. I see by the papers that they have been holding a meeting at Canning for the purpose of discussing this question. This is not the first one held there. Being a native of the County I represent, and for upwards of thirty years a practitioner of medicine in Canning and vicinity, I ought to know the people pretty well, and while I must acknowledge having received a great deal of kindness and professional support there, as well as having very warm political supporters, but there is no place in the North Riding where political feelings are carried to a greater extent than in Canning, and consequently where I have stronger political opponents. There is no difficulty at any time in getting up a political meeting in Canning, especially when the subject appears to affect party interests. I believe this meeting was suggested by parties in Halifax for the purpose of influencing the votes of the members for North Kings on the subject of Confederation. I have some knowledge of the mode of getting up and circulating petitions, and do not think that petitions can always be looked upon as the exact exponent of public sentiment. Many persons are careless about the matter and allow their names to be placed there without considering the subject, especially when no pecuniary interests are at stake.

New Brunswick has been referred to in this debate. All I can say is there has been a great change in the public sentiment of that Province since the election a year ago. Every constituency that has since been opened has returned a Con-

federate; Fredericton, for instance, returned Mr. Fisher by an overwhelming majority. This change must occur wherever the question is fairly and temperately viewed and discussed. There is no use denying the fact that the time has come when we should unite; everything that is transpiring around us points to that result, I have not come to a hasty determination to support this resolution. This question is like a jug of yeast; it must go through a certain amount of ferment; but it will come out all right in the end. Mr. Howe, and Mr. Annand, who are now opposing this measure, would be the first to put their shoulder to the wheel and carry Confederation, if they could come into office to-morrow. Under these circumstances I do not feel disposed to stand in the way of a question that must come sooner or later. These are the convictions of my own mind. It is not because I feel disposed to occupy any preferment. If the House were dissolved to-morrow I should not regret if I went home and never returned to public life. I often wish I had never studied or paid any attention to political history; it only keeps a person constantly perplexed.

Let me here mention what struck my observation on a visit I paid to Canada last autumn. I travelled some 3000 miles and attended two Public Exhibitions. I was much gratified by what I saw of the great manufacturers. Some of the most delicate surgical instruments are manufactured in that province. Agricultural implements are largely produced in the country. The cloth manufacturers are far beyond anything I had expected to see. I attended a ploughing match, and there saw some 102 teams enter for competition; fully 6000 persons were present. Never in the course of my life did I see such excellent work, but what surprised me particularly was the fact that I saw a host of boys discussing the merits of the ploughing. When boys took such an interest as that in ploughing, I thought there need be no fears as to future agricultural operations in Canada. Whilst in the Province I mixed as much as I could with the people, for I wished to learn all I could about Canada's industrial resources, the intelligence of the people, and especially her fruit culture. When persons found I was from the Lower Provinces, they would ask me, "What are you afraid of? Why do the Lower Provinces oppose the Union with us?" I must say that from what I saw of the Agriculturalists they are a very desirable class of people to associate with. Under all the circumstances I cannot think we have any reason to fear a union with the flourishing province of Canada. On the contrary I believe that Nova Scotia will be largely benefitted by the consolidation of all the Provinces of British North America under one government and under the protection of the British Empire.

SPEECH OF MR. KILLAM.

Mr. KILLAM said: I rise to deliver to you a message, not from the Lieutenant Governor, not from the Legislative Council, not from the Colonial Secretary; but from 16,000 of the loyal inhabitants of this province whom I have the honour of representing in this Assembly.

They are closely identified in interest and feeling with the inhabitants of the other portions of the Province, are known far and wide, as well as in this country, for their industry and enterprise, were the first pioneers in our great industrial pursuits—one that has done more to elevate our position and make Nova Scotia known far and wide than any other. This Message is sent to me by these. To protest in their behalf against a Union of this Province with Canada, believing as they do, that such a measure will demoralize the people, alienate their affections from Great Britain and endanger British institutions—transfer our revenues into the hands of strangers, disarrange financial affairs, and jeopardize our local improvements. We, as the oldest colony of British North America, have enjoyed a Legislative Assembly for over one hundred and Responsible Government for 20 years, with full liberty to levy and appropriate taxes; and to deprive us of these privileges, as proposed by the resolution, they believe to be most unjustifiable. In making these statements they do not arrogate to themselves any superiority over other counties. They acknowledge the claims of all other sections to consideration, and are proud that this is our common country. It is with pride they remember that they can claim as their own one of the ablest statesmen that ever stood on the floor of this house, to watch over the interests of the people of Nova Scotia. He did not come here, like our leading men of the present day prepared to destroy, but to improve the constitution we now possess, and not to hand over this Province to another country, irrespective of the wishes of its people.

The arguments that have been advanced in support of this resolution shew that the scheme is more one of theory than of practice. The argument which they have most labored is this: that it is necessary to unite with Canada in order to ensure our common safety. Every body admits that numbers are strength; but those numbers must be in a position to assist each other. If you have a large territory, exposed at all points to danger,—just as Canada,—separated from you by a great tract of country, you cannot expect assistance from it. Its union with you does not bring strength, but weakness.—If you are to have trade, it must be in a position to afford it.—If we look at the map, and see the configuration of British North America, you can recognize how absurd are the arguments of the advocates of Union. Nova Scotia has no natural relation whatever to Canada.

(Mr. Killam here pointed out the relative positions of Nova Scotia and Canada on the map, and contended that neither in defence nor trade would we gain any benefit by union.)

Between us and Canada extends a vast tract of desert country.—If you look at the water communication, you see how roundabout it is, and unsatisfactory as far as trade relations are concerned. In winter the St. Lawrence is closed for five months, and the communication must be made either by the United States, or over the uninhabited waste lying between New Brunswick and Canada. We cannot expect any assistance from that country in case of war, for the nature of its territory, running along for many hundreds of miles by the frontier of the American Republic, requires that all its forces should be kept at home for their own defence. In case of a war with the United States, therefore, no troops can come from Canada to our aid.

In case of a Union we could give no aid to Canada except in a financial point of view.—by the revenues that they would draw from us. Separated from us as it is, it is folly to suppose it could be otherwise. When in 1783 Great Britain gave up the old colonies which she had settled on this continent the great mistake was that they had not all, including Canada,

been given up in one block. I can give you a good authority on this point, as some gentlemen may take issue with me. Lord Brougham, in his historical sketches of eminent Statesmen, speaking of Sir John Jervis, says: His sagacity no man ever found at fault, while his provident anticipations of future events seemed even beyond the reach of human penetration. He says we shall give a remarkable example of this matter in 1839, in a matter of deep interest at the present moment—(if of deep interest then, the interest is much greater now). When Lord Shelburne's peace (1783) was signed, and before the terms were made public, he sent for the Admiral, and showing them asked his opinion. I like them very well, said he, but there is a great omission. In What? In leaving Canada as a British Province. How could we possibly give it up, inquired Lord Shelburne. "How can you hope to keep it," replied the veteran warrior. With an English republic just established in the sight of Canada, and with a population of a handful of English settled among a body of hereditary Frenchmen, it is impossible; and rely on it you only retain a running sore, the source of endless disquiet and expense. Would the country bear it? Have you forgotten Wolf and Quebec? asked his Lordship. "Forgotten Wolf and Quebec." No, it is because I remember both, I served with Wolf at Quebec; having lived so long I have had full time to reflection on this matter, and my clear opinion is that if this fair occasion for giving up Canada is neglected—nothing but difficulty in either keeping or resigning it will ever after be known.

It is quite evident that Great Britain has nothing to be proud of in the management of her affairs as respects the arrangement here spoken of. She has had war with the United States and came out of it without accomplishing her objects. Consequently she neither acquired honor nor glory as far as the American people are concerned. Nothing is more probable than what has been prophesied will occur sooner or later. I have another extract bearing upon the same subject, which I do not think gentlemen will say come from a disloyal source. Mr. Oilphant, M. P., delivered an address at Stirling on America. In speaking of Republican institutions, he said:—

"To his mind there was no spectacle furnished by the world at this moment so interesting as the 30,000,000 Anglo Saxons working out by hard experience the unworked problems of Republican government. In the first place there was no other race fit to cope with these problems or to understand the principles they embodied, but that to which we and they belong. Although he did not believe in them for this country, he did most devoutly believe in republican institutions for America. As an Englishman he had no sort of objection to the Monroe doctrine and the spread of Anglo Saxon republics all over the American continent—the more the better. That was the reason he had no particular objection to see the Union divided, provided slavery was abolished, nor did he think it would matter half as much as Americans imagined. Moreover he thought some day or other it must come to that. We shall be quite prepared to see Canada erected into an independent republic, and Australia, when old enough. There is no reason because we were a constitutional monarchy, and well satisfied to remain so, that we should insist upon our Colonies, who had none of the traditions or associations which had made us what we are, adopting monarchical institutions after they left us."

Here is a speech delivered by a member of the British Parliament; he believes in Republics for all America. Look at the geographical position of this continent and consider what seems to be the most natural arrangement. We have thirty millions of people directly before us, in every way more convenient to us than Canada; they are of the same stock, same feelings, as ourselves; they have everything that can make a people great and glorious. If you have to make any political arrangements, let them be consistent and natural. I do not think that the people of Nova Scotia want annexation to the United States; but why should you drive them against their interests and inclinations into a union with Canada—with which they have no natural means of communication, and no sympathy. Why, if our young women were

to attempt to-morrow to go to Canada by way of the States, they would be courted and married before they got half-way there.

I have wondered often when I have heard gentlemen in this Legislature talking of the advantages that will accrue from Union with Canada. A great amount of words has been used on the subject, but I cannot see how our manufactures are to be developed by Union. Just look at the map, and see where our products would have to go. Why before they got there, they would cost so much that the people of Canada could not afford to buy them when they could purchase similar articles, which paid duty at a lower price. We cannot expect to manufacture as largely as Canada. We cannot compete with her, or the great manufacturing countries of the world. If the Provincial Secretary says that a great stimulus will be given to manufactures, I give him credit for thinking otherwise. We have now 350,000 people busily engaged in carrying on all the industrial pursuits that they able to carry on. We know by the statement that has been laid on the table that Nova Scotia owns 400,000 tons of shipping. Consider what an immense amount of labor and money has been expended to create it; but also remember that ten years hence every one of them must be renewed. We own more ships in proportion to our population than any other part of the world, and our experience has shown that they must be renewed as I have stated. This renewal will cost an immense sum of money. We are carrying on a fishery of a most extensive character, which must tax to the utmost the energies of those engaged in it. More vessels than ever are leaving my own county—filled with able bodied men, to endure the privations and labors of a fisherman's life on the Banks. We are largely engaged in Mining and Lumbering, and Trade—Agriculture engrosses the attention of a large proportion of the people. Everybody has his hands full, and yet you say we want more work. We are now one of the greatest manufacturing countries of the world in one great branch; our shipping is a more lucrative source of wealth than any manufactures that can be created by Annexation to Canada.

As to what Mr. Young, Mr. Johnson, or Mr. Howe may have said, it makes little difference now. It is the duty of this Legislature to look at the present circumstances of the country, and provide for its best interests. We should not wander away from the subject immediately before us. This Union question has been tried in British North America and has failed. The Union between Upper and Lower Canada has failed, and now they come asking us to help them out of their difficulties. Mr. Brown formed a coalition with Cartier and Macdonald and they came meet the Maritime Delegates and persuaded them to join in a political Union with Canada. Nova Scotia should pause before injuring herself irremediably for the sake of helping the Canadians out of their political embarrassments. They got into a mess, and now wish to mix us up with it. You have all heard the story about the Spider and the Fly. The Spider told the Fly a "fine story, and got him that way into his mesh, and there was the end of the poor thing." And it was just so with the Canadians. The Maritime Delegates were dazzled, if not by Canadian gold, by fine stories—and thus fell into the net prepared for them. "We give larger salaries to our public men, we are more liberal in our expenditure; we shall have five or six Lieutenant-Governors to appoint—number of other offices to select from; here is your chance." This is the language that was probably used to cajole our delegates. Blasted by the prospect before them, our delegates came back thinking that the people would take their view of matters. All these things make people wonderfully loyal at times. They can hardly bear to hear a whisper about annexation to the United States. Let us hear what Mr. Murdoch says in his history of Nova Scotia about a matter bearing upon this point. At page 448, No. 13., speaking of the excitement in the old American Colonies in reference to the stamp act, he says:—

"That it was not much felt in Nova Scotia, that they were satisfied, for the reason that the great trouble and expense of the Crown to complete the conquests here, and the generous aid to settlements

in Parliamentary grants, all tended to knit their affections. In addition, the great number of military and navy who had become inhabitants and the liberality displayed to settlers. Beside the personal welfare and comfort of so many of our people depended on the expenditure of public money which flowed freely hither in naval and military channels and otherwise."

Things like these make a great many people intensely loyal. Take away their salaries and their cocked hats, and their honours, and they become a good deal like other people. I am not going to acknowledge that I am not as loyal as any gentleman who sits on their benches. I love, and wish to live under British institutions, I have no desire to change them: but if we are to have a change, if it is necessary, should not every man be at liberty to say how that change should be made. Should we press the people into Union with a country with which they have no wish to unite, and not allow them to express their opinions? It is said that the people of Yarmouth are disloyal—I deny it, they are as loyal, and have done as much to show it, as any people in the province. When we see our present institutions about to be swept away, it is enough to rouse our feelings and passions.

Gentlemen have had an opportunity of watching my public conduct for very many years in this house and country, but can any of them say that I have had any other object in view except the advancement of this province. I have done much to place the present party in power; but when I came here and found that they were about to desert the principles on which I had supported them, I left them, and assumed an independent position. I have pursued this course whenever the interests of my country demanded it. I did as much as anyone to advocate the retrenchment scheme, and was pledged to support it. It has been charged against me in a paper supporting the government that I and another hon. member would not sustain them because I could not get office. The Provincial Secretary knows that I never wanted office; I was above it; I have business enough of my own to attend to. I do not think myself suited for office. I have been tied up to indoor business; but I had my eyes about me, and saw through the designs of some political gentlemen. If I had been disposed to yield to some of them, I could have had anything that I wanted; but that is foreign to my nature. If I can support a government on principle, I must leave them. Now these gentlemen with whom I was formerly associated come here to barter away the rights and interests of the people of Nova Scotia. There is no principle in a course like that. It is beneath the dignity of statesmen to do such a thing, in the face of public sentiment. Such a union could never last; there would be no unity of feeling and sympathy. Suppose an election were to come off to-morrow, how many of the gentlemen who are pressing forward this unjust measure may expect to see Ottawa? Hardly one of them. The members that will go to Canada will carry with them a feeling of hostility to this Province—they will bring discord into the councils of the Confederation; your present conduct can lead to no other result. The members of this House know the sentiments of our people, from Cape Sable to Cape North, and should hesitate before pressing this measure rashly upon them. We should allow more time for the consideration of a question fraught with such important results. There is no necessity whatever for dealing with this subject with such intemperate haste. It is reported, from day to day, that we are to be invaded by a band of robbers called Fenians, who wish to seize and destroy our property; and yet, at this critical time, you are going to agitate and distract the people of the country, and to divide one section against another. The people are quite prepared to meet any invaders, and with the help of Great Britain, they will be successful—why then this haste? I do trust that if any words of mine can have any effect on this House, that a majority will not be found ready to sell their country to the Canadians. If the day should come when Nova Scotia will be wrested from us and given to Canada, it will be one of mourning and lamentation among the

people. Of course we shall have to submit to it—for I am not going to counsel rebellion.

We are going to disturb all our financial arrangements, and hand into the Canadian treasury much more than we can expect to receive. We have had revenue enough for our purposes, and when it was not sufficient we have raised the duties to suit ourselves. If any money is spent improperly it is soon made up, and we are able to exercise the strictest supervision over our expenditures. But now we are about to entrust the extensive power to the Parliament at Ottawa, to be used as the Canadians may choose. The sum of 80 cents a head that we are to receive is a most contemptible amount to offer to a people for the amount of money they are to put into the treasury. We have now a large revenue, and there is every reason to believe that as our public works are extended we shall be able to meet our liabilities. It will be far more satisfactory to have the management of our own revenues, and to be able to raise the duties when we think proper, than to entrust the power to a Legislature 800 miles off.

Our trade with Canada is small, not as much as with Newfoundland or New Brunswick, while the population is ten times as great. Our exports to that Province are mostly of Foreign productions. The estimate on which our revenue and expenditure is based for the current year, now in the hands of every member, shows that all we should have to apply for provincial purposes, including the 80 cents per head, would only amount to \$419,000 out of a gross revenue of about \$1,500,000. I have not closely estimated myself what our imports of 1865 with the Canadian tariff would have amounted to, but have been informed by a competent person who has done so, that it would have added \$680,000—enough to pay the interest on the \$8,000,000 of debt proposed to be assumed by the General Government, and leave \$220,000. How is our education, educational institutions, roads, bridges, Lunatic Asylum, Penitentiaries, Legislative expenses, and improvements and casualties of every kind to be provided for. The \$419,000 is very little over half we have in the estimate for this year for similar purposes, with the present tariff. Mr. Speaker I thank you and the House for the very attentive hearing you have given on this important subject.

SPEECH OF THE HON. FINANCIAL SECRETARY.

Mr. McDONALD then said:—The present question is one of the most important subjects that can engage the attention of a free people, involving as it does their political rights and condition for all time. It is not therefore to be wondered at, that each member of this house, in the discharge of his duty to his constituents, should be desirous of placing on record the sentiments by which he is influenced in coming to the conclusion at which he may arrive. This is the only excuse I shall offer in detaining the house with a few remarks on the resolution under consideration. The arguments for and against Confederation have been widely disseminated throughout the country—the subject in the form of the Quebec scheme has been discussed in this house by the Delegates who originated it, on the public platform, and in the columns of the press. The people therefore, we may assume, are more or less familiar with the grounds and reasons on which the framers and supporter of the measure ask public support. It will not be necessary for me, under these circumstances, to go at any length into the arguments which have influenced my own mind. Since this debate arose nothing has been evolved that has not already appeared in the press of the opponents of the scheme. The advocates of Union to-night have not to meet a single argument that has not been previously consider-

ed and refuted—that the people had not had a full opportunity of discussing and reflecting upon. Therefore it is that I shall feel myself at liberty, as a representative of one of the most important counties in Nova Scotia, to state in a very brief and concise manner the reasons which induce me to support the resolution before the house.

There is one argument which has been used by the opponents of the scheme which requires consideration. I admit that, if it be true, it is a fundamental argument, for it lies at the very basis of the question we are discussing. It is one which should therefore be fully and satisfactorily answered before we ask the people of Nova Scotia to accept this measure at our hands. That argument, if I understand it aright, and as it has been advanced by all the speakers on the opposite side, and more particularly by the only lawyer who is supporting the opposition, is this: that we are not in a position constitutionally to pass on the measure in this Legislature; that this House, in its legislative capacity, is not competent to decide upon this important measure, affecting as we all admit it does to a large degree, the rights and interests of the people, without a reference to them at the polls. If this be true, we are attempting to discuss a question with which we have no right to deal—we are assuming a power and authority which the constitution does not invest us with—and we would be guilty of one of the highest crimes of which public men can stand convicted before the people who have entrusted their rights to their hands. If, however, as I contend we have a right to pass upon this question under the constitution handed down to us from the earliest days of constitutional authority, then the question assumes a different aspect, and we have only then to consider whether it is not for their benefit and welfare that the people should seek by this union to become an integral part of what in a short time must be one of the commanding nationalities of the world.

I must say that I was astonished not only to hear a lawyer but other members of this Legislature who from their position, ought to be somewhat versed in constitutional knowledge—for I need not tell you it does not require a legal mind to understand the general principles of constitutional law upon which the rights and interests of this Parliament are based—attempt to delude this House with the style of argument resorted by the hon. member for Halifax and the hon. member for Guysborough in dealing with this important branch of the subject. The hon. member for Halifax, who is one of the oldest members of this Legislature, and who has taken an active part in all the discussions which have agitated this country, for a long time, has no excuse for misinterpreting those principles of constitutional law with which he should be familiar. Much less should the hon. member for Guysborough, a gentleman of legal attainments, who has filled the position of Speaker of this House, attempt to deal with a question of such magnitude and dogmatically

assert doctrines in constitutional law without asserting a single authority in support of his argument. In propounding an argument radically striking at what I consider one of the highest privileges of this Legislature, he ought to have given us the result of his reading, and have shown this House and country at least one instance in the whole constitutional history of England where the right of Parliament to deal with a question like this was denied. I challenge the hon. member and any gentleman in this House who assumes the same views, to show me in the whole constitutional history of England down to the present time a single case in which it was contended that the Parliament of England, or of any Colony enjoying the blessing of the British constitution, were not absolutely and constitutionally authorized in their legislative capacity to discuss and finally decide upon any measure which, in their opinion touched the rights and interests of the people they represented. I shall not occupy any time in debating a question which is as plain as the sun at noon-day. But I feel it important that the people of this country should be rightly informed on the question, and see how baseless are the assertions of those who contend that the representatives of this House—that the Legislature of this country, for some reasons, have been arrogating to themselves a power which is not delegated to them by the constitution and are bartering away most unjustifiably (to quote the hon. member for Yarmouth) the rights and liberties of the province. In order that the people and the country may be satisfied on this point I will read one or two authorities of very high standing—which are recognized in England as of the highest weight in matters of constitutional law and practice. May in his work on the privileges of Parliament says:—

“The Legislative authority of Parliament extends over the United Kingdom and all its Colonies and foreign possessions, and there are no limits to its power of making laws for the whole empire than those which are incident to all sovereign authority—the willingness of the people to obey, or their power to resist. Unlike the Legislatures of many other countries it is bound by no fundamental charter or constitution; but has itself the sole constitutional right of establishing and altering the laws and Government of the empire.”

In addition to this I shall quote the opinion of one of the highest authorities on all such matters—from a book which is not only of the highest authority, but is familiar to every man of ordinary reading and information. Sir W. Blackstone, treating of the power of Parliament and quoting from Coke, says:

“The power and jurisdiction of Parliament, say Sir Edward Coke, is so transcendent and absolute that it cannot be confined, either for cause or persons within any bounds. And of this high court, he adds it may be truly said: “Si antiquitatem, spectes, est vetustissima, si dignitatem est honoratissima, si jurisdictionem, est spaciosissima.” It hath sovereign uncontrollable authority in the making, confirming, enlarging, restraining, abrogating, repealing, revising and expounding of laws concerning matters of all possible denominations, ecclesiastical or temporal, civil, military, maritime, or criminal; this being the place where that absolute, despotic power, which

must in all Governments reside somewhere, is entrusted by the constitution of these kingdoms. All mischiefs and grievances, operations and remedies, that transcend the ordinary course of the laws, are within the reach of this extraordinary tribunal. It can regulate or new model the succession to the crown, as was done in the reign of Henry VIII and William III. It can alter the established religion of the land, as was done in a variety of instances in the reigns of Henry VIII, and his three children. It can change and create afresh even the constitution of the kingdom and of parliament themselves, as was done by the act of the union, and the several statutes for triennial and septennial elections. It can, in short, do anything that is not naturally impossible."

I could, if it were necessary, quote other, many other high authorities to the same purport, recognizing and asserting the powers, rights, and privileges of Parliament as they are enunciated by this great authority. Powers and rights far above what this resolution asks this House to exercise; and, sir, I think I have established my right to ask the hon. member for Guysboro to produce to this house and the country the authority on which he founded the bold assertion that the members of this Legislature are forgetting their duties to the people when they undertake to consider for the benefit of the country, not a radical change in the constitution, but simply a modification of their present relations and circumstances.

If what I have read be sound constitutional law—if we have the right to consider and finally pass upon this question, I hope we shall not again be told we are ignoring the just authority of the people and the duty we owe to our constituents in our efforts to promote their interests by multiplying their sources of wealth, while we secure their enjoyment of all their just rights and privileges. And now, sir, we can legitimately examine the expediency of the proposed change, and enquire whether the Union of these Colonies be a proper and judicious measure on the part of the people of this country. But first let me refer to one view of the question which is perhaps of some importance, in the opinion of some, and has indeed been referred to in this debate. I refer to the position occupied in reference to this question by its present opponents in former times. It is quite true men may legitimately change their opinion on public questions, but in doing so they invite inquiry as to the motives by which they are actuated and the reasons for the change—and although I do not think it of very much consequence, nor will the people of this country, I imagine think it of much consequence, what have been or are now the opinions of the Honble member for Halifax, yet his position in this house as one of the leading opponents of Union and his well known and recognised connection with a gentleman outside of this house whose opinions exercise much more influence in the country than his own—make it perhaps worth our while to inquire whether it be true as the hon. member for Halifax has ventured to assert that neither Mr. Howe nor himself have ever been committed to a Union of these colonies. It is quite natural, Mr. Speaker, that a man like Mr. Howe who for many years has filled a large space in the public eye, who has borne a prominent part in the political contests and changes of many years, and occupied a foremost position in the discussion of the most important and grave public

question which have agitated the country for a quarter of a century—it is natural I say that the sentiment of such a man should be received by the country with some weight of authority. Mr. Howe has recently assumed a position on this great question which his mouth-piece in this house, the hon. member for Halifax as well as the hon. and learned member for Guysboro has sought to justify—while they have ventured to assert that Mr. Howe was never committed to a Union of these Colonies, other gentlemen have called attention to the resolution of 1362 and other public acts indicating his desire to promote this Union, unless indeed, we accept the shameless assertion that their measures were a sham and delusion. I shall therefore only detain the house by reading one or two paragraphs from a speech of former years.

It is not necessary that I should say one word derogatory to that gentleman, and I am sure I have no desire to do so. I shall compare his past with his present course, but I shall accord to Mr. Howe his due influence and position in this country. Unless I was willing to do so, I could not venture to ask this House and the country to contrast his former with his present opinions, and to ask the people to accept from his own mouth the evidence which condemns his present course and that of gentlemen opposite. When he chooses for personal or other grounds to recede from the position he occupied in former days, he occupies a position which, I may say, will not be accepted by the country as worthy of himself or of his past greatness. Nothing surprises me so much as the hon. member for East Halifax who is the Editor of the book which I hold in my hand entitled "Speeches and Public Letters" of Hon. J. Howe, who has prepared the very evidence on which I intend to convict both himself and Mr. Howe of attempting to deceive and betray the people of this country in the most important matter ever submitted to them, and who, on more than one occasion, endorsed the sentiments which Mr. Howe promulgated to the country on the subject. I wish, sir, I had time to quote a very great deal from the volume before me; it is one which ought to be read more than it is in this country at this particular time. If I wished to impress upon the people the necessity of a Union of the Colonies I do not think I could do it more convincingly than by scattering this contribution to our literature over the face of this country. Sir, it is filled with arguments in favour of Union, and therefore it is that the people who have accepted these opinions of Mr. Howe as of great weight ought to pause before giving their opposition to these same views when they are being carried out by his successors, and not to accept at the hands of his disciples or of himself views diametrically opposite to those he so long laboured to inculcate. Mr. Howe on various occasions, in the discharge of his public duties, advocated not only in this country but in Great Britain a Union of the Colonies; and perhaps no colonist (without derogating from the position of many eminent men who have justly acquired great influence in this country) ever obtained a higher position in the mother-

country than did Mr. Howe by his intellectual displays. On one occasion he said:—

"This is the prospect before us, and the duties it imposes we must learn to discharge with energy; the destiny it discloses we may contemplate with pride. *England forces yet fears it not.* * * She believes in the existence of the old feelings here which are to strengthen with our strength and bind us to her by links of love, when peculiar obligations have been cancelled. She virtually says to us by this offer, there are seven millions of sovereigns at half the price that your neighbors pay in the markets of the world; construct your railways; people your waste lands; organize and improve the boundless territory beneath your feet; learn to rely upon and to defend yourselves and God speed you in the formation of *national character and national institutions.*"

Again he says:—

"I am not sure, sir, that even out of this discussion may not arise a spirit of union and elevation of thought that may lead North America to *cast aside her colonial habits, to put on national aspects, to assert national claims, and prepare to assume national obligations.* Come what may, I do not hesitate to express the hope that from this day she will aspire to consolidation as an integral portion of the realm of England, or *assert her claims to a national existence.*"

This is very significant language from Mr. Howe, and I now quote Mr. Annand's comments thereon:

"Mr. Howe desired to create a NORTH AMERICAN NATION, watchful of republican America, even while pursuing common objects, but in perpetual friendship and alliance with the British Isles."

Here we have the sentiments of the hon. member for East Halifax, under his own hand, nearly eight or nine years ago,—when he did not expect that his political opponents would succeed in carrying into effect what he and Mr. Howe then expressed a desire to form, a *British American Nation*. What does this mean? Is not that a Union of the Colonies? Or is it some new combination of which we have not yet heard? The House will recollect that the hon. member for Halifax, in the discussion of this question last night, while endeavoring to avoid the dilemma in which he was placed by the resolution which he moved in 1862, stated that they did not intend to do anything—that the resolution was a delusion—that they looked forward to a Union after the Railway was completed. Mr. Howe always declared that a railway was an essential precedent of Union, but he also as invariably contended that the railway was only the means towards that great end. "Why do I want a railway? Perhaps for the pecuniary and commercial advantages that it may bring to us, but the great object I have in view is a Union of the Colonies." That was the sum and substance of his arguments. I ask then when we attain the great end he had in view and at the same time, and by means of the Union obtain the Railway which he vainly laboured so hard to secure, why does he now factiously oppose the measure which brings about the very result he wished to obtain. Mr Howe says on the same occasion:—

"Of one thing I am proud to day: of the unanimity and evident attachment to the home of our fathers which have characterized this meeting. In the generous offer of the government and people of England, we have felt John Bull's heart, beating against our own. * * Until the time arrives when *North America shall rise into a nation* nothing can be more honorable than our connection with the parent state. * * I do not disguise from you that I look hopefully forward to the period when these splendid Provinces, with the population, the resour-

ces and intelligence of a nation, will assume a national character. Until that day comes we are safe beneath the shield of England, and when it comes we shall stand between the two great nations whose blood we share, to moderate their counsels and preserve them in the bonds of peace."

Shortly afterwards Mr. Howe visited New Brunswick, and in a speech delivered there, thus reported by the hon. member for Halifax in the book I have referred to:—

"I thought it was now full time that we had higher objects in view than a mere transit traffic, and I therefore urged the general views and aspects of these Provinces, for the purpose of preparing the public mind in England to promote their elevation to a *far higher status in the scale of nations.*" And Mr. Annand thus comments on the above and previous parts of the same speech.

Having very adroitly detached some of the prominent public men of New Brunswick, and brought out in bold relief the proportions of that great field of honorable emulation and exertion which they would tread, when Union of the Provinces by iron roads had been followed by the political organization which would be the immediate result, he said:—

"If the sphere were wide enough here, what would you do with such men? You would send Judge Wilnot to administer justice. Where? To a small Province? No: but to an American Empire. You would place Mr. Chandler on the bench of the United Provinces; you would hold out to the young men of your country a sphere and a field for their exertions and their ambition which none of them have open to them now. How? By violence? By rebellion? By bloodshed? No. You would seek to live under the old flag. You would seek not separation from the mother country—that would be madness, folly, bad faith; but with the consent of the Sovereign, and the acquiescence of the Imperial authorities, by the united action and good sense of all the Provinces. You would seek by union to elevate them all to a higher status than any of them separately can ever enjoy. I believe that Railways will be of great use to these Provinces, but I believe also that it is necessary, nay almost indispensable, to produce a social and political organization of the people, to raise these Provinces to a higher position than they can ever singly attain."

And in his report to his own government, in 1867, he says:—

"Among all ranks and classes the railroad seemed to be regarded as indispensable agencies by which North Americans would be drawn into a common brotherhood, inspired with higher hopes, and ultimately elevated by some form of political association, to that position, which, when these great works have prepared the way of union, one half of this continent may fairly claim in the estimation of the world."

In his speech on the organization of the empire, he said:—

"If, then, the British and Colonial statesmen do not incorporate this people into the British Empire, or make a nation of them, they will, long before their numbers have swelled so much, make a nation of themselves."

What did Mr. Howe mean by all that? Higher status in the scale of nations, Union? Higher position when North America shall rise into a nation, &c? Did he mean that little Nova Scotia would rise into a great nation?—He was speaking then of British America—asking them to build the road and obtain that standing in the world which the advocates of union are now endeavoring to bring about. He was advocating then exactly what we are advocating now. I would like, before passing from this subject, to read another extract to the hon. member for Yarmouth who, pointing to the map before him, said that Canada was a dreary waste—that we could not expect any commercial or manufacturing advantages from connection with her—that she, from her natural

position, was worthless to us as an ally, either commercially or politically. The hon member is in unison with Mr. Howe on this question now, but let us see what the hon. member's friend has said on former times about Canada, when it was not his interest to traduce that country:—

"But, sir, daring as may appear the scope of this conception, high as the destiny may seem which it discloses for our children, and boundless as are the fields of honorable labor which it presents another, grander in proportions, opens beyond; one which the imagination of a poet could not exaggerate, but which the statesman may grasp and realize, even in our own day. Sir, to bind these disjointed Provinces together by iron roads; to give them the homogeneous character, fixedness of purpose, and elevation of sentiment, which they so much require, is our first duty. But, after all, they occupy but a limited portion of that boundless heritage which God and nature have given to us and to our children. Nova Scotia and New Brunswick are but the frontage of a territory which includes four millions of square miles, stretching away behind and beyond them, to the frozen regions on the one side and the Pacific on the other. Of this great section of the globe, all the Northern Provinces, including Prince Edward Island and Newfoundland, occupy but four hundred and eighty-six thousand square miles. The Hudson's Bay territory includes two hundred and fifty thousand miles. Throwing aside the more bleak and inhospitable regions, we have a magnificent country between Canada and the Pacific, out of which five or six noble Provinces may be formed, larger than any we have, and presenting to the hand of industry, and to the eye of speculation, every variety of soil, climate, and resource. With such a territory as this to overrun, organize and improve, think you that we shall stop even at the western bounds of Canada? or even at the shores of the Pacific? Vancouver's Island, with its vast coal measures, lies beyond. The beautiful islands of the Pacific and the growing commerce of the ocean, are beyond. Populous China and the rich East, are beyond; and the asils of our children's children will reflect as familiarly the sunbeams of the South, as they now brave the angry tempests of the North. The maritime Provinces which I now address, are but the Atlantic frontage of this boundless and prolific region; the wharves upon which its business will be transacted, and beside which its rich cargoes are to lie. Nova Scotia is one of these. Will you, then, put your hands unitedly, with order, intelligence, and energy to this great work? Refuse, and you are recreants to every principle which lies at the base of your country's prosperity and advancement; refuse, and the Delty's handwriting upon land and sea, is to you unintelligent language; refuse, and Nova Scotia, instead of occupying the foreground as she now does should have been thrown back, at least behind the Rocky Mountains. God has planted your country in the front of this boundless region; see that you comprehend its destiny and resources—see that you discharge, with energy and elevation of soul, the duties which devolve upon you in virtue of your position."

I scarcely require to make an apology for reading to this house an extract so eloquent. I may say that eloquent as have been the speeches of the advocates of this scheme, none of them can exceed this, or more fully recognize the importance and benefits of Union. I would be quite content to put these words of the eminent man from whom I quoted against the remarks that the hon. member for Yarmouth thought proper to make. And I would ask him to give the same weight to these words of Mr. Howe, as he is ready to give the opinions of the same gentleman to-day. There is no man who is acquainted with the resources of Canada—with the industry and energy of her people—with the great progress that has been made in all the elements of prosperity, but

must recognize the want of truth in the statements of the hon. member, and the want of magnanimity he displayed in disparaging a colony which has increased more rapidly in recent years than any other part of the world. There is no country in North America that, in the last fifty years, has advanced so rapidly and so steadily in all the sources of material wealth and greatness as the Province of Canada.

On another occasion, in a great speech which the same gentleman delivered in this House on the Organization of the Empire he says:—

"Sir, the first question which we men of the North must put to ourselves, is, have we a territory broad enough of which to make a nation? At the risk of travelling over some of the ground trodden yesterday by the learned member for Annapolis, I think it can be shown that we have. Beneath, around, and behind us, stretching away from the Atlantic to the Pacific, are four millions square miles of territory. All Europe with its family of nations, contains but three million seven hundred and eighty thousand, or two hundred and ninety-two thousand miles less. The United States include three million three hundred and thirty thousand five hundred and seventy-two square miles, or seven hundred and sixty-nine thousand one hundred and twenty-eight less than British America. Sir, I often smile when I hear some vain-glorious Republican exclaiming:—

"No pent-up Utica contracts our power,
The whole unbounded continent is ours!"

forgetting that the largest portion does not belong to him at all, but to us, the men of the North, whose descendants will control its destinies for ever. Sir, the whole globe contains but thirty-seven million square miles. We, North Americans, living under the British flag, have one ninth of the whole, and this ought to give us "ample room and verge enough" for the accommodation and support of a countless population."

These were the sentiments that Mr. How. impressed upon the people of this country. What then did they lead to? When the Provincial Secretary moved the resolution, two years ago, for the Union of the Maritime Colonies, I stated in a very short speech, that from my earliest recollection of the political history of this country I had been impressed with the conviction that the leading men on both sides had always advocated the Union of the British North American Colonies, and that a desire for such Union largely pervaded the public mind of this country. I regretted, on that occasion, that instead of a Union of the Maritime Provinces, we could not aspire to a Union of all the Colonies in British North America. Sir, I did not stand alone in entertaining that opinion, and I venture to assert that it was the opinion of the large majority of the people of this country, until their fears and prejudices were aroused by demagogues who had other ends to serve, and not a leading man but has been found in the front pressing forward this great question. But Mr. Howe, in a letter which he published the other day, says we are powerless to defend ourselves. Let us see what he thought on that subject a few years ago; after eloquently referring to the necessity for the future consolidation of these colonies, he said:—

"Taking our population at two millions and a half, (it is now nearer four millions,) every fifth person should be able to draw a trigger, giving 600,000 men capable of bearing arms. Such a force would be powerless as an invading army, but in defence of these Provinces invincible by any force that could be sent from abroad."

"How often have we heard that our republican neighbors were going to overrun the Provinces. They have attempted it once or twice, but have always been beaten out, and I do not hesitate to say that the British American over whom the old flag flies, are able to defend every inch of their territory, even though Her Majesty's troops were withdrawn."

So much then for Mr. Howe, and now let us enquire what are we to obtain from a Union of the colonies. It is hardly worth while detaining the house on this branch of the subject, for it has been so very amply discussed; but let me say that this union will give us commercial greatness, political status, social distinction, and military power. I will not say we are going all at once to become a great Empire, to be able to compete with the great nation close to us—but let us unite these colonies, consolidate their strength and resources, and we start fair for all the greatness which the Anglo-Saxon race is sure to attain when it has the means and the opportunity. We start with a larger population than the United States had when their national existence began, with a country far in advance of those States at the time of their separation, in all the elements of national prosperity and greatness. We will have direct railway communication with the whole country behind us, as soon as the political union is consummated. The hon member for Yarmouth says that we cannot have extensive commercial relations with Canada, and that union will give no impulse to our commercial enterprise, and he scouted the idea that we can sustain manufacturing establishments. Why should we not have manufactures? He says we have not the population. True, I reply, and whilst we remain isolated as at present—whilst we have had only a population of 330,000 people, he is quite right to say we cannot rise above our present condition. No one knows better than he that a large manufactory in Halifax or Yarmouth of any particular article could supply the Province. We can afford no inducements to men of large capital to expend their money in developing our resources. Give us, however, the population of four millions that union will give, strike down the hostile tariffs that now stand like a Chinese wall between the Provinces, and you have the market for manufactures which is now wanting to stimulate enterprise. The hon. member says we have not the means or resources. Then again I say the hon member's knowledge of this country should have prevented him making this assertion. If there is a country in the world of equal dimensions, that by virtue of its geographical position and natural resources, has greater facilities for commerce and manufactures, I have yet to learn where it is? You have immense tracts of the finest quality of coal at the pit's mouth, you have mines of iron, and alongside them again you have the lime required to convert iron to useful purposes. Only give facilities for making these resources productive, and what portion of the Union will develop itself more rapidly than Nova Scotia? This Province has rapidly developed her resources, notwithstanding the disadvantageous position in which she is placed; her mines of coal and iron have made progress, and her commercial progress bears witness to the

energy of the people, but give us the demand that the wants of four millions of people will create, and she will increase to a remarkable degree in all the elements of prosperity. What has made Massachusetts the great manufacturing state it is? That the cotton of New Orleans comes to be converted into cloth—that the iron of Pennsylvania comes to be converted into cutlery in the manufactories of Boston. Why can Massachusetts supply manufactures to the whole Union? Because the hostile tariffs meet her productions at every state boundary. Why should not Halifax be the Boston of British North America?—Why should not the cotton of New Orleans be manufactured in this city, and supplied to every town in the Confederacy? Why should not tobacco be made, and sugar refined here as well as in Boston? No reason in the world is there why it should not be so, except that we have no market, no population, fenced in as we are by the hostile tariffs of every surrounding country. Supposing each of the United States had remained isolated and separate communities, that each state had preserved its own revenue and trade less, in what position would they be now?—Weak, insignificant communities, instead of component parts of one of the strongest and proudest nations of the world. I ask then, is it not our duty to adopt this measure. If our trade shall be enlarged and wealth will be increased, then it is an answer to all the story we have heard about taxation. The people have been told time and again until they began to believe it is so—that they are going to be taxed to pay the debt of Canada. There is no foundation for such a belief, but suppose I assume for the sake of argument that the statement is partially true, and that instead of paying 10 we shall pay 15 or 17 per cent; but if our commerce prosper as largely as I have predicted, then I ask the hon. member for Yarmouth whether the mere trifle of increased duty should stand in the way, when compared with the progress that this country will make in all the elements of productive industry. It is not many years since the construction of railways was commenced in this country, and I remember how many persons said they were to be our ruin. Mr. Howe was going to swamp us.—Our taxation was to be doubled. And a great many persons thought that if our duties were largely raised we would be ruined beyond redemption. I dare say the hon. member for Yarmouth did a great deal to create the idea throughout the country, for he was then as now opposed to every progressive measure.—We built the Railways and the croakers have turned out false prophecy. Our duties have been doubled, and I will undertake to say that there is not a man in the House who will say that we are not now better able to pay our increased duties than we were to pay the lesser duty ten years ago. This is an illustration of what may be the result of the Union with the British North American Colonies. It gives us room and expansion—it gives us what population will always afford; and everything that promotes the wealth of a country, and while we have these no fear of taxation ruining us or cramping our

energies. I do not intend to occupy the House in the discuss on of other branches of the subject. With Union, our social and political status will be enlarged, and our means of defence against aggression increased and consolidated, it will give you thousands of men that we cannot otherwise have, and I will tell you how. We are rapidly increasing in population even now but give us the facilities for commerce and manufactures that Union will afford then you will have hundreds where you have now one added to the number of the people. And the same thing will occur in Canada and the other Provinces. What is the reason that this Province has been for so many years sparsely settled—it is only where mines have been worked that you have any large centres of industry. Immigration seeks a country where there is plenty of room and work. Give us the population and the industry that Union will certainly bring with it, and you will have a greater ability to contribute towards defence, both in money and men.

When I listened to the hon. member for Yarmouth, I thought of the last occasion when he pointed to the same map which now hangs before me. He is the last man in the world of whom I would say a single disrespectful word but from his anxiety to see anything beyond Yarmouth, he is at times, I might say at all times one of the most inconsistent men that ever sat in this House. No doubt every one is disposed to give the hon. member credit for his commercial enterprise for the zeal with which he discharges his duties, but the people of this country must know that on almost all the great questions which tend to promote the wealth and prosperity, he has always been a drag on the wheel. Therefore I say that on a question like this gentleman will not be disposed to accept his assertions or opinions with the confidence that they would otherwise be disposed to extend to them. When we were discussing the Intercolonial Railway, three years ago we saw the same map before us. On that occasion the hon. member in his attempt to defeat the Intercolonial proposition resolved to the argument that the road we ought to build was the one to Pictou. But when the hon. member had an opportunity of being consistent with himself building that road to Pictou what did he? His party came into power, and in fulfilment of the pledge which they had given when the hon. member was one of their supporters, proposed to construct the railway to Pictou, but this consistent gentleman opposed the measure to which he was solemnly pledged left his party because they would not violate their pledges as readily as himself. Yet this hon. member told us to-day that he invariably acts upon principle. He left his party on that very question, although standing in the presence of the House before that very man he promised to support us in carrying it. He says he did not want office, I dressay he did not for himself but he has put it into my power to declare that if he did not wish to enter the Government himself he left the party that he sustained on the very Pictou Railway question three years ago because some of his friends did not get

office. (Mr. Killam—No.) I say yes; the hon. member took occasion at a recent date to state that he left because I was appointed Railway Commissioner. He wished that another gentleman, a personal follower of his own, should be appointed. I shall not trouble the House with any lengthy observations on the financial branch of this subject, but there are one or two points in the speech of the hon. member for East Halifax, that I may briefly notice. He stated that the revenue derived from local sources, under Confederation, would be \$155,000. This sum added to the subsidy of 80 cents a head, amounting to \$264,800, gives a total of \$419,800, to be appropriated for local purposes. Here I am quite content to take the figures of the hon. member, but he went further.

Now to make a set off to this revenue for local purposes, the hon. member for Halifax resorts to the most unfair method of assuming that future grants for local purposes will, for the future, be as large as they are this year. That hon. member knows well, Sir, that never in the history of this country have the grants for Education, Roads and Bridges, Navigation securities, and special grants for such purposes as the St. Peter Canal, and opening and enlarging many of the Harbours on our coasts been so large and munificent as during the last three years. And he also knows, Sir, that it has never been imagined by any one in this House that these large grants could be continued. Where, Sir, are we to obtain the means to meet the obligations the country has assumed except by discontinuing these exceptional grants as the necessity arises. Whence is to come the interest on the Pictou Railway which already forms a considerable sum to the debt of our account? Where are we to find the subvention we are to pay to the Annapolis and Intercolonial Railways? Why, Sir, the hon. member well knows that if Union did not take place, and all these liabilities fall upon our own shoulder, that notwithstanding the prosperity of the country, we should be obliged not only to reduce all these special and exceptional grants, but be obliged to resort to additional taxation to sustain the credit of the country, and yet the hon. gentleman ventures to place before the country the figures quoted in his speech as a fair estimate of our local outlay after the Union is consummated.

Now, Sir, I shall submit my estimate to the House and challenge a comparison of my figures with those of the hon. member. The liabilities I put as follows:—

Agriculture.....	\$5,000
Criminal prosecutions.....	1,600
Coroners' Inquests.....	1,400
Crown lands.....	14,000
Mines.....	17,000
Distressed sea-men.....	200
Education.....	120,000
Relief Indians.....	2,000
Poor Asylum.....	8,000
Relief paupers.....	5,000
Roads and bridges.....	140,000
Legislative expenses.....	20,000
Salaries, &c.....	8,000
Navigation securities.....	20,000
Insane Asylum.....	20,000

Public printing.....	3,000
Board of Works.....	25,000
Packets and Ferries.....	5,000

In all.....\$415,200

or \$4600 dollars less than the amount now available for local purposes. The House will see that I have given the full amount of the Educational grant, and I have also been induced to leave all the principal services at the full figure: our altered circumstances will require. The road grant I have somewhat reduced, as it is evident to all that as soon as our new obligations begin to weigh on the Treasury, that and other services must be curtailed to meet their demands. The Hon. member for Halifax has also unfairly increased the amount of local liabilities by including in many of the services named by him, sums which under Confederation will be borne by the general Revenues. Now Sir, this estimate is based on the supposition that the sources of our local Revenue will not in the future yield a larger amount than at present, but such a proposition seriously made would be laughed at. Why, Sir, what do we see on the papers on this table?—This, Sir, that the casual Revenue and receipts from Crown Lands above, two items of our local Revenue have increased three fold within the last four years, while the receipts from Gold Mines, also form a new and increasing source of Revenue. Now, Sir, without being subject to the charge of being too sanguine, I may fairly assume that all those sources of Revenue shall be as prosperous for the next five years as they have been in the past. But to keep within the safest bounds, suppose they only double within that time, and the Hon member would have an additional \$155,000 for local purposes, so that instead of being obliged to resort to direct taxation, he might by the exercise of the economy and financial skill for which he is so famous, not only meet all his wants in a liberal manner but actually leave a balance in the chest.

The hon member for Yarmouth tells us that we cannot expect any commercial advantages from competition with Canada—that there was not nor could there be any communication between us. I am surprised to hear the hon member make such a statement. Is the trade of a country which reaches the enormous sum of one hundred millions a year worth nothing? Does he not know that our intercourse with that country is already very considerable and is rapidly increasing. Her politicians and merchants are opening up new outlets for trade, and endeavoring in every way possible to develop the resources of the country to the utmost limit, and it only requires time to make these efforts successful. Indeed, the merchants of that country manifest a spirit of enterprise and energy which our own would do well to observe.

Many hon members, the hon member for East Halifax among the number, have stated that this question is not understood in England—that Mr. Cardwell has been hastily drawn into the support of a measure that his own judgment would not approve of. I can only say that I have lately had an opportunity of seeing some of the loyal

dependencies of Great Britain—of seeing a group of colonies having as enterprising and intelligent class of men as are to be seen in any part of the globe. Under the most adverse circumstances they have pressed forward the industrial resources of their respective countries, small as they are, until now they feel encouraged in looking to the future. These men understand as thoroughly as any men that I have ever met with, the condition of the Empire and the colonial dependencies; and I was never more gratified than to find that they one and all, manifested a strong desire to see this union perfected. They are British in all their feelings and aspirations, and look upon the consummation of this union as another step towards the strengthening and consolidation of British power in the world. Men more capable of forming a correct judgment on the subject I did not meet anywhere. That is an evidence of the opinions formed respecting the proposed union by men not biased by prejudice; in fact, wherever you find Englishmen who understand the condition and relations of these colonies they are all in favor of this scheme. This is a reply, to a large extent, to the argument of the hon member for East Halifax.

It has been said outside of this House that the result of this scheme will be the political extinction of its promoters. A good authority with some, has told us that the men who carry this scheme must make up their minds to go off the arena of public life, and their places will be filled by those who are opposing this measure. I am quite content. Starting young in politics I am naturally desirous of seeing the country prosper; but I feel I must more or less participate in that prosperity; but all I can say personally is this—if the Union be carried I shall be quite satisfied whoever may reap the fruits. It makes little difference after all who shall receive the political advantages whilst the interests of the country are advanced, as they will be by the successful consummation of the measure of Union. But this also let me say the opponents of Union may succeed in deriving a little temporary popularity by their course, but the people sooner or later, when they see the benefits that the scheme confers upon them will acknowledge their mistake and give their confidence and esteem, where it is properly due. I am quite content to wait the coming of that time when the very men who may now reject Union will be the same who will accept it and recognize the claims of its friends and promoters to their consideration. (Cheers.)

SPEECH OF MR. McLELAN.

Mr. McLELAN said:—If I consulted my own feelings, I should perhaps remain silent on this occasion, for I know not how to address the house—what words to utter appropriate to this momentous question. Notwithstanding all that has been said by the gentleman who has just sat down, I feel that it is not I who should speak at this time, nor is it the men who sit around me; it is the people of Nova Scotia, the men who own and cultivate her soil, who work her mines, who build her ships, or whatever may be their avocations, who have made this country their home, and linked

their destinies with her's, who should first speak and instruct their representatives on this great question. But this right—their right—as I shall hereafter attempt to show, having been denied them, it becomes imperative on us to speak in their behalf; and when I reflect upon this, and consider that perhaps I am participating in the last discussion of the last Parliament of Nova Scotia, I feel almost borne down by the responsibilities of the position—by the solemnities of the hour. The Prov. Sec. says we shrink from the discussion of this question. No sir, we do not. We never have been backward on any public occasion to discuss it, and all we ask now is that it may be carried down to every village and town in Nova Scotia, and upon full and fair discussion the decision of the people accepted. The member for Inverness says all the lawyers, all the leading statesmen—all the professed politicians favour the scheme and therefore the strong inference is that it is right. I beg to differ with him in his conclusion. When the professional politicians of a country—the men who make a living by politics—agree upon any measure I cannot regard it as evidence that it will be beneficial to their country. The simple fact that it is to improve the position of those of them who may be successful may make them unanimous in supporting it, and comparing the list of salaries in Canada with those in Nova Scotia we find so great a difference that it is not impossible, but it has influence here. Let me mention a few of the salaries found on that list.

	Canada.	Nova Scotia.
Atty General. East and West.	\$10,000	\$2,000
Solicitor General ditto ..	6,000	800
Contingencies ditto ..	3,800	000
Provincial Secretary.....	5,000	2,800
Clerks and counting offices.....	30,000	4,050
Surveyor General.....	6,000	2,000
Clerks and contingencies	94,049	8,150
Receiver General.....	6,000	2,400
Financial Secretary.....	5,000	2,400
Clerks and contingencies.....	43,619	1,878
Executive Council expenses ..	25,510	400

From this comparison we might, if so disposed, draw the inference that the unanimity of our professional politicians arises from the fact that Confederation will give them very much larger salaries. But, much as we desire to discuss this question, we must protest against treating it in the tone and style of the past few days. The most dissolute and abandoned character, when brought into the presence of his death-warrant, assumes a more reformed and sometimes evinces a Christian-like spirit. The house has now before it its death-warrant, and while we may not hope to see it die like a Christian, it should at least imitate the Indian savage, who sings his death song with calmness and dignity, in the belief that he is about to enter the happy hunting-grounds, and in like manner did I expect to see the advocates of this proposition sing the death-song, inasmuch as it will give them the entrance to Canada, the "happy hunting-ground" for office-seekers. The government charged us who oppose this scheme with merely desiring delay, that on a change of government we may be in a position to carry the measure ourselves and divide the spoils. I do not accept the charge. I fling it back to those who make it, and tell them they are not the

men to impugn our motives. They who raised this question—who gave it existence—who have arranged all the offices: the Judgeships, the Governorships, and others, and who, when this measure is forced through as they are doing, shall fill those high positions, are the men of all others open to a charge of motives, and they should have more modesty than raise it. Sir, I envy no man his office or his honors, and God forbid that I should ever enjoy them at the sacrifice of my countrymen's rights. Others may take them, but however great their reward may be personally, it will not make their country's wounds the less sore. It is not true, as was believed in the dark days of superstition, that "a salve to the sword will cure the wound it has given." I oppose this proposition because I believe it wrong in itself; because, territorially situated as we are, it will tend to destroy the harmony and good feeling existing among these Provinces by bringing into conflict their diversified interests; that it will retard the prosperity of this province, by imposing upon us heavy financial burthens; that it will weaken our connection with the Mother Country and our means of defence, by rendering the people less attached to their form of government, and ultimately carry us into the arms of the Great Republic. Having taxed the patience of the House on a former occasion with my objections to the Quebec scheme, I need not now repeat them, although they are exactly applicable as against this resolution. For although not mentioned in it, the hon. introducer of the resolution has declared his entire approval of it, and will take care to appoint on the delegation a majority holding the same opinions as himself. Beside this we have before us nothing from any of the other Provinces to lead us to suppose that they have abandoned the Quebec arrangement. Indeed I do not see how the Canadian ministry can, when they only carried the measure through their house on a distinct pledge, that there should be no departure from the terms agreed upon at Quebec. I shall trouble the house with but one extract to this point, and from the speech of Hon. Atty. Gen. Carrier, who said:—

"I have already declared, in my own name, and on behalf of the government, that the delegates who go to England will accept from the Imperial government no act but one based on the resolutions adopted by this house, and they will not bring back any other. (Hear, hear.) I have pledged my word of honor, and that of the government, to that effect."

After such a pledge how can the Canadian delegates depart from the Quebec scheme? And presuming that the honorable members for Richmond and Inverness, Messrs. Miller and McDonnell, are appointed on the delegation they will be overruled by the Canadians and their co-delegates from Nova Scotia. I had proposed to direct the attention of the house to the obstacles to a Union, other than exists, in the configuration of the territory which it is proposed to confederate; but the hon. member for Yarmouth has so well illustrated this that I need not detain the house. I am sure those who listened to the hon. gentleman this afternoon must have felt the utter impossibility of uniting and so interweaving the several interests of that territory as to make them harmonize and blend as one. Our Province is almost an island,—detached

from New Brunswick by the bay of Fundy,—while New Brunswick is separated from Canada by the State of Maine, and a trackless forest of great extent. Mr. Fleming, in the report of his survey for an intercolonial railway made in 1824, gives us some insight into the nature of this country. He says:—

“A parallelogram, bounded on the South-East by a line drawn from Fredericton to Chatham, on the North-East by a line drawn from Chatham to Metis, on the South-West by a line drawn from Fredericton to River du Loup, and on the North-West by the settlements along the River St. Lawrence; about 90 miles in width, by 200 miles in length, and embracing nearly 18,000 square miles, is both unsettled and roadless.”

Here is a territory the size of the entire Province of Nova Scotia, so long as it remains unsettled must render a union between New Brunswick and Canada an impossibility. The Fin Secy. in addressing the house read extracts from speeches of Hon. Mr. Howe, advocating the Intercolonial Railway as “a means to an end.” The end contemplated here, I presume, is the settlement of this territory, and the making, in such settlement, that connection between the two Provinces as might render, at some period, a political Union possible. And until that be first done I hold it is madness to enforce such a Union. Nor do I believe that with the boundary line of the two Provinces wiped out by settlements can the extraordinary anticipations of the Delegates be realized from a country shaped as are these Provinces. Turn to the map of the world and you will find every country, occupying a first class position, compact in shape, and just as the country departs from that it descends in the scale of nations. England has been styled “the tight little isle of the sea.” There is in her a compact territory, which affords that blending of interest which leads to a harmonious co-operation for the good of the whole. We have been frequently reminded since this question arose of the Heptarchy in England, and the great results of her Union. Union for her was a natural act, and so may it be said of England and Scotland. The boundary line is wiped out by the dense population, which flow back and forth, that the influence of the interest of each extends into and operates upon the other, forming a strong and enduring union. Ireland has not this territorial connection. The influence of her interests is bounded by the sea-shore, and naturally seeks a centre within her own territory. There is not the same interweaving of interests, and consequently the bond of union is acknowledged to be weaker than between England and Scotland. England grew in greatness and power by every union which combined territory and people and interests, having for each a natural affinity, but when she went beyond that she gained only elements of weakness. She crossed the Channel into France, and attempted to draw that people and country to her, but the more territory she acquired, the weaker she became, and eventually yielded to the inflexible law of nature that the drawings of all people are to their natural centre of interest. Look at France upon the map. No ragging arms or long jutting headlands, but all compact, and forming a country which claims and holds a first position among Empires. Go over the map of Europe, and just as you find countries departing from that

compact shape you find them descending in the scale of nations. But I may be referred to England's colonies scattered all over the globe and having no territorial connection with England, and be asked how she has held them without their being a source of weakness?—Simply by permitting them to manage all matters of internal policy as suited themselves. Attempting no action affecting the internal interest of a colony further than was compensated for by a protection of her external interests. By this wise and liberal policy she has seen her colonies grow and prosper in a remarkable degree. She departed from this policy when she proposed to tax the thirteen New England States, but the people regarded it as a violation of their chartered rights, and they severed the connection with the parent state. England saw the mistake Lord North had committed, and compelled him to repeal the act imposing a tax on colonists, and from that time to the present the policy pursued by England towards her colonies has been growing more enlightened and liberal.

But we have been told in this discussion, that England takes very strong ground on this question, and urges it for our acceptance, and so far have members of Government gone as to bring to their aid the name of Her Majesty the Queen. I have for some months seen that name used in the public newspapers in connection with this scheme, and felt it difficult to restrain my indignation at those who resorted to such unjust means to influence public opinion, but when the hon. Prov. Secretary took the same course in introducing his resolution, I listened to him with absolute disgust. Who taught those men to take such liberties with the name of our beloved Sovereign? It was Governor Eyre, of Jamaica, and his officials who headed proclamations “The Queen's Wish,” and who in their administration first exasperated the people and then butchered them. Let our officials beware how far they follow that unfortunate example. But, says the Prov. Secretary, it is mentioned in the speech at the opening of Parliament. Suppose it is, we all know that except in cases where ministers do not feel that it would interfere with their policy, the Sovereign does not alter a line or syllable of the opening speech. If there is one thing more than another for which we love and honor Queen Victoria, it is for her home virtues, and yet the ministry claim the right to regulate even her household—to say what maids of honour shall surround her person. Again we are told that we should accept this scheme from respect to the wishes of the British Government. Sir, I yield to no man in my respect for a government, which is a reflex of the opinions and sentiments of so liberty-loving a people as those of the British Isles, and when I study the policy established by that reflex of British ideas, I both admire and respect it. Commencing with the repeal of that law under which Lord North taxed the New England Colonies, and from which they rebelled, I trace down a policy growing year by year more liberal, progressing with the spirit of the age, and conferring upon us colonists all the privileges and freedom which the most ardent lover of self government can desire. And now should Mr. Card-

well, who, in a short administration has had in Jamaica a butchery and in Australia the machinery of government brought to a stand, insist upon our accepting a certain scheme, no matter how injurious we may consider it to our interests our respect for the long established policy of England should of itself make us hesitate. No man nor no single government changes the policy of Britain in a day. No policy lives there unless founded upon public sentiment. And when a Colonial Secretary attempts to enforce a change in the entire constitution of the country in which we live, regardless of our wishes, we may well regard it only as the act of an individual, until we know that the people who make and unmake Colonial Secretaries have turned their attention to it and approve of it. I am told that public opinion in England does favor this scheme. It may and still be in harmony with the policy pursued towards us. Public opinion in England may be founded upon the information given that the leaders of all parties had combined in the scheme of Union and the usual inference would be that the mass of the people approved. But if the Pro. Secy. will grant us a general election; and if a majority, overwhelming as I believe it would be, is found against this Union, and public opinion thereafter insist upon our adopting it then shall I believe there is a change of policy by the people of England, and then, but not until that is thus shown, shall I think it necessary to consider what sacrifices of our interests we should make from respect to the British Government. We are told that there is not time for this; that events are gathering about us that preclude the possibility of a dissolution; that we are threatened with invasion and that unless we yield to the wishes of the British Government, our country will not be protected. The men who tell us this slander Old England and are guilty of treason. What danger threatens us now? Whence comes the threatened invasion? Not from any act we or any of our people have committed, nor from anything connected with our internal or external interests, but from that which is akin to the act about to be perpetrated here: a forced union. Ah, sir, forced marriages seldom prove fortunate, and the forced union of Ireland with England is bearing fruit. We had a few years ago O'Connell's great agitation for a repeal of that union, but it was restrained in its action by the master mind of the great Dan and by the influences of the Crown, but thousands of Irishmen have gone out from under the British flag, feeling in their heart that their country has been wronged, and have found under other flags the influences that have strengthened and perpetuated that sense of wrong, and thus they and their offspring have been but too easily led by designing knaves into this Fenian movement, which now threatens our peace. And now are we to be told, when we have placed the entire resources of our country for defence—when every militia man is falling into line, and Nova Scotia one vast drill shed, that England will not help us—meet the danger she has brought upon us—unless we agree to this scheme of Confederation. Then, sir, would she stand disgraced before the civilized world. If the British Parliament sustain a government that makes this the condition upon

which they will now aid us, the whole world will ring with the Frenchman's cry, "Perfidious Albion," and old Cromwell will come back to empty another Parliament House. No, every war ship that comes steaming into our harbour contradicts this assertion, and every intelligence we receive from England assures us that the people sustain the government in making our protection their honor. I have under my hand a letter from a manufacturer in Manchester, who holds the position of Major in the volunteers, in whose ranks some of the best blood of England has enlisted, and in this letter there are the strongest assurances of an interest in our position and a desire to aid us in repelling the danger.

Speaking of Fenianism I am reminded that the hon member for Richmond announced, on the authority of a New York paper, that one of the planks of the Fenian platform is to oppose the confederation of these Provinces.

The Pro. Secy also attempts to draw from this an argument in favor of his resolution. Now the object of Fenianism is the liberation of Ireland. The first necessity in this attempt is to secure a territory that will serve as a base for operations. This territory must also be British, because the seizing of any other would involve a double conflict, hence it is of the first importance to Fenianism that there shall be a British Province within easy reach of them. Suppose that to-morrow we should be annexed to the United States, that organization would cease to exist. O'hell's occupation would be gone. There would be no suitable and assailable British territory left for them to secure as a base of operations, and I do not doubt that the leaders of the movement, seeing plainly that annexation to Canada will soon be followed by annexation of the whole to the American States, and feeling the strong necessity of having us remain British provinces, do not favour Confederation. I do not mean to say that those who here favor it do so as the means to the end: annexation to the United States, but I firmly believe that will be the result; and if I did not value British connection; if I did not value the liberty and blessings which flow to us from the constitution under which we live, and if I were so craven hearted as not to be ready to meet any danger arising to us because of our connection with England, I, too, would become a Confederate, and seek to enter that current which will sweep us all into republicanism.

I acknowledge England expects us to do more for our own defence than we have hitherto done, but when this is expected of us, and when we are ready and willing to meet the expectations, is it, I ask, the time to curtail our liberties—to take away our rights? When a greater strain is put upon the wheel, it is not the time to cut out part of the spokes; when the gale increases, it is not the time to weaken the cable; nor is this the time to weaken our attachment to the mother country by this Confederation under which we shall at all times feel perplexed to know whether we owe allegiance to England or Canada. Like one of Brigham Young's children adrift in the harbor, we shall feel we have too many mothers. We have here a good many men claiming descent from the old Loyalists, men who settled this country in the belief that the British Government gave up the claim to tax these colonies,

in the repeal of the American duties in 1778. They came here in the belief that the revenues they or their descendants raised would be entirely under their own control and disposal; and now after nearly a century, will England, without the consent of the people of this Province, hand over our entire revenues, our entire property, and our constitution, to a Province more difficult of access to us than the mother country is, and yet at the same time claim from us greater contributions to the national defences?

We have been told that it is necessary to place all our means of defence under one head. If this means that our Militia systems shall be assimilated, it can as well be done without as with confederation: but if it means that being under one control the men shall be drawn from one province to another, then I question very much the propriety of so doing. I believe the local militia of England or Scotland cannot be taken beyond certain limits without a special Act of Parliament, and the cases in which it would be wise to do so are rare indeed. The man who may not have a natural inclination nor a training to the "pomp and circumstance" of military life is comparatively useless except for home defence. His home and his household altars he will defend with his life, but take him beyond these influences and he needs a long training to be any service in warfare. The means of defence to a country depends upon the population to territory. These Provinces are alike assailable through their whole frontier, and while we have twenty of a population to the square mile of territory New Brunswick and Canada have only eight. Hence the only result of placing the control of the militia of the provinces under one head by confederation will be to draw the militia men from this province to the others: a proposition which we have already seen does not find favor with the militia. We have seen already two regiments refuse the oath of allegiance under the impression that power had been given to take them to Canada—and I believe that such a feeling is general. The people will rise en masse to defend this country, which is dear to them, but will utterly refuse to be taken away into the wilderness, and leave their homes unprotected.

Hon. PRO. SECY.—No, no.

Hon. Mr. MCFARLANE.—Shame, shame.

Mr. MCLELAN continued.—Can any man cry shame on them for holding this view? No sir—they are ready to defend Nova Scotia to the utmost. With their faces seaward they will wait and watch for the foe, and should he come they will give no man occasion to cry shame. Every breeze that comes across the waters to them from old England will bring courage to their hearts and nerve to their arm; but take them a thousand miles away into Canada and their arms will fall unnerved and powerless at the thought that their own homes are undefended. Connected with this argument of defence we are told the intercolonial railway is essential and can only be had by confederation. I admit its value for defence, but why cannot it be had without this scheme. Nova Scotia and New Brunswick have always been ready and anxious to build it, and have offered to do more than perhaps their just share, and now we are quite willing to build it upon the principles which form the basis of

this scheme of confederation and which the Canadians declare is just and the only one upon which Union can take place. Now if this principle of representation by population and eighty cents per head all round be just it can easily be applied to the building of this railroad. The total population of the three Provinces is 3,090,561, and the length of road, as given by Mr. Fleming, from Truro to River du Loup is 422 miles. Nova Scotia and New Brunswick have a population of 582,904, which would make their share a fraction less than 80 miles. Now they are not only willing to build this but have actually contracted for 109 miles from Truro to Moncton,—29 miles more than their share by the principle of population,—and all that the Canadians require to do is to apply the principle and build down to meet us at Moncton. I should like much to see them thus reverse the principle and give us a foretaste of it, but there is no probability that they will. They know too well that under confederation our excess of contributions to the general fund will more than meet the interest on the entire cost of the road. I shall not trouble the house at this late hour with any calculations or arguments to this point, but I believe on a former occasion I proved to the entire satisfaction of the Provincial Secretary that Nova Scotia alone would be better off in a financial view to build the road herself than enter into this confederation under the Quebec scheme. The hon. Prov. Secy has often characterized the proposition of Nova Scotia and New Brunswick to build seven-twelfths of the road as monstrous; but the Hon. George Brown, speaking at Toronto of the building of it under Confederation, says:—"It may, however, be some comfort for my friends to know that we have a prospect of getting the road built upon terms much more reasonable than we had ever hoped to obtain." Now, while we object to these terms, we say that if it be so necessary for defence, we have already contracted for 29 miles more than our share by the principles which are represented as just under Confederation. A great deal has been said of the commercial advantages of this road, and of the great effect it is to have upon this city. That it is to make the Province one vast beehive, and that the traffic of a continent is to centre here. I think the report of the last survey made in 1864 by Mr. Fleming, should be sufficient to dispel any such delusion.

I find that nearly all the lines given by him strike the European and North American railway about 37 miles from St. John, and then he shows that all the freight traffic passing down from Canada will seek the nearest outlet, which will be St. John or St. Andrews.—But supposing we take the central route, that route strikes 13 miles west of Moncton, making St. John a nearer port than Halifax by 112 miles. He says on page 90:—

"By the projected lines for the Intercolonial Railway, St. Andrews and St. John, on the Bay of Fundy, are the nearest open winter ports to Canada within British territory, and they would, therefore, be the most available outlets for Canadian produce while other nearer ports remain closed."

St. John must, then, be the outlet for freight, but he says, suppose you build that road, then it is probable that it will be of most advantage to Canada when it is doing the least. He says

that the distance from Toronto to New York is 540 miles, while the distance to St. John by Riviere du Loup is 913, and he argues that if Canada is allowed to send produce through the American territory it will seek New York, but he looks at the possibilities of America prohibiting such a traffic, and he says, 'if you build the Intercolonial Railway the United States Government will see that there is a possibility of the traffic being diverted, and they will grant permission to send produce to New York direct. He says:

"As the probable through freight traffic depends on so many contingencies, it is impossible to form any proper estimate of its value; but of this we may rest satisfied. If the construction of the Intercolonial Railway, by opening out an independent outlet to the ocean, prove instrumental in keeping down the barriers to Canadian trade which our neighbours have the power to erect, it might in this respect alone be considered of the highest commercial advantage to Canada. It is scarcely likely that the people of the United States would permanently allow themselves to place restrictions on Canadian traffic, when they discovered that by so doing they were simply driving away trade from themselves; and in this view the contemplated railway may fairly be considered, especially by the people of that part of Canada west of Montreal, of the greatest value to them when least employed in the transportation of produce to the seaboard."

The European and North American line now under contract, is 25 miles shorter than it will be by the Intercolonial line. He says:

"Thus, it is evident that the passenger traffic of the Intercolonial way, on any of these lines being constructed, be tapped near its roots, and much of it drawn away. Under these circumstances, it is too apparent that the Intercolonial Railway may find in the United States a route formidable rival for Canadian passenger traffic, to and from Europe, by way of Halifax. Fortunately, with a view to counteract this difficulty, a line by the Bay Chaleurs would offer special advantages, which may here be noticed."

He then goes into an elaborate argument to prove the propriety of making Shippigan the place of landing for all steamers passing between America and England, thereby taking away all ground of argument concerning the commercial advantages of the intercolonial road. It may be said that Shippigan being closed for seven months of the year, during that period the passenger traffic could land at Halifax, but in the winter months there is little travel to or from Canada, and even the European and North American line, as he shews, will have the advantage. But I do not consider it necessary to weary the House with a discussion of the arguments against the measure, because I believe that we have not the right to change in the manner proposed by this resolution, our constitution. It is not in our commissions. The supporters of the resolution argue on the extent of our powers; but I look more to our right to do so, without first consulting those whom we represent. If I understand Responsible Government, it means that we either have the sanction of the people to carry a measure, or that we shall decide upon questions in such a way as we feel will meet their approval—that we must ever keep in view a going back to the people to have our acts approved or condemned. The charter of our rights is not found in any one despatch from the Colonial Office, but runs through a number, granting one concession after another, all tending to this one point,

that the people shall be consulted, and to them we are to be responsible for our action here. Earl Grey says to us, 2nd March, 1847:—

"The two contending parties will have to decide their quarrel at present in the Assembly, and ultimately at the hustings."

Again, on the 31st of the same month:—

"The practical end of Responsible Government would be satisfied by the removability of a single public officer, provided that through him public opinion could influence the general administration of affairs."

Under this resolution before us public opinion cannot have its legitimate influence. It is not proposed that the action of members is ever to be passed upon by the people. Neither can it be said that because the question of Union has been for some years agitated that we were empowered at the last general election to pass it. The resolution of this house in 1861, on which the hon. Pro. Secy. lays such great stress, speaks of the obstacles to Union and of the desirability of having "the question set at rest." From the action of the delegates appointed under that resolution it was supposed to be "set at rest" as impracticable, and therefore was not a question before the people at the last General Election, and to pass it now and put it forever beyond their reach would be unconstitutional and unjust. The supporters of this resolution claim Lord Durham as one of the early promoters of a Union of the Colonies. I refer them to his views on this point, as given in his Report to the British Government. He says:

"But the state of the Lower Provinces, though it justifies the proposal of an union, would not, I think, render it gracious or even just on the part of Parliament to carry it into effect without referring it for the ample deliberation and consent of the people of those Colonies."

Strongly as Lord Durham advocated a Legislative Union of these colonies, he tells us it would not be just to adopt it without the approval of the people. But I find that even the politicians of Canada admit that it should be referred to the people, if there be any doubt as to the opinions which they held. Mr. Cameron, in the Canadian Assembly, after approving of the scheme, proposed a reference to the people, arguing that it they gave their approval the Union would be more permanent; he says:

Mr. Brown, whose name has been mentioned in this debate, and on whose abilities the Prov. Secretary has passed such high eulogiums, said:

"If we base this structure, as it ought to be based on the expressed will of the people themselves, then I think we will be offering to those who come after us, as well as to ourselves, a heritage that every man should be proud of."

"If there were any doubt about public feeling there might be propriety in going to the people. But is there any doubt about it? I am not opposing the hon gentleman's resolution on constitutional grounds. I am not denying the rights of the people; if I had any doubt whatever about what would be the verdict of the people, I should be the first to say we ought to go to the people. But it is simply because I am satisfied there would be a sweeping verdict in favor of the measure that I think it unnecessary to take it to the country."

Here is the opinion of one of the first statesmen of British America, that if there be a shadow of

doubt as to the opinions of the people, the measure should be submitted to them before being passed. In Canada, perhaps, there was no doubt, but it is very different here. There are few men in this house who do not believe that a large majority of the people are opposed to the measure. The hon. Atty. General, who aids in forcing it through, entertained different opinions in 1861. In a speech delivered here by him on the 8th of March in that year I find him using this language :

"There is an honorable principle which must pervade and govern men in every position in life, and I would not envy the position of those who, hanging on to the tail of a majority in this house, must feel that in doing so they are betraying the trust reposed in them, and misrepresenting the views of their constituents." Again: "This is a matter connected with the interests of the people, and they should be the sole judges."

Mr. ARCHIBALD.—Read what we said.

Mr. McLELAN continued:—We said at that time that we acted with a view to our accountability to our constituents at the next election, and that we were willing to take the responsibility of having our acts endorsed or not; but the hon. gentleman will see the difference between the two cases.—You are proposing to pass a Resolution upon which no man voting for it will go back to the people for the ratification of his act. The Atty. General says we have no precedent for asking a dissolution on this question. I think it is he who should have precedents before handing over the entire Province to a distant colony without the permission of the people. He says, he saw one in the union of New Zealand. The cases differ, but even there he should have told us that the people are dissatisfied and seeking a repeal of the Union by petitions to the British Parliament. And so it will be here, if you pass this resolution and carry out its intentions without consulting the people. But if you can obtain a majority to favor it, then you may hope for it to be enduring. It is one of the principles inherent in the minds of all claiming British origin to accept and obey the opinions of the majority. I do not believe, however, that a majority can be found to assent to a proposition which would sweep away our constitution and even blot out the name of Nova Scotia from the map of the world.

The hon. member for Richmond, Mr. Miller, in calling for this resolution, told us how proud he is of Nova Scotia. It is not he alone who is proud of her. We are proud of being British subjects, of being British Americans, but not less so, of being called Nova Scotians. That gentleman, however, seeks to blot out this name. Whilst he addressed the House I thought of that anecdote told by Hugh Miller of the codfishing captain on a voyage to Newfoundland, who, on going down to his cabin to consult his chart, and finding it in shreds and tatters, told his men they might as well turn about, for the rats had eaten Newfoundland. I do not mean to say that Nova Scotia will be literally devoured, but the rats are striving to eat out the name from the map of North America. Sir, if this proposition be carried into effect without consulting the people, I anticipate

the most serious results. There is in the breast of every man claiming British allegiance a principle—a feeling—implanted by God himself that he should be consulted in all changes affecting his rights and privileges and the constitution under which he lives. In no part of the British Empire is that feeling more strong and irrepresible than in this country, and if the Provincial Secretary carries out his proposition without consulting the people, this principle will rebel against the act. I have no hesitation in telling the hon. gentleman that he is tampering with the loyalty and allegiance of the people. He knows our attachment to the mother country is strong, but he must not count too much on it. Let me read to him as a warning an extract from the report of that celebrated Statesman, Lord Durham:

"Indeed, throughout the whole of the North American Provinces there prevails among the British population an affection for the Mother Country, and a preference for its institutions, which a wise and firm policy, on the part of the Imperial Government may make the foundation of a safe honorable and enduring connection. *But even this feeling may be impaired, and I must warn those in whose hands the disposal of their destinies rests, that a blind reliance on the all enduring loyalty of our countrymen may be carried too far.*"

Then he says speaking of the evils of having a colony disaffected:—

"If the British Nation shall be content to retain a barren and injurious Sovereignty, it will but tempt the chances of Foreign aggression, by keeping continually exposed to a powerful and ambitious neighbour a distant dependency, in which an invader would find no resistance, but might rather reckon an active co-operation from a portion of the resident population."

The passage of this resolution before us seems a small matter, but it may produce the evils, named by Lord Durham. The most trifling causes often produce the most alarming results. The Castle may be strong and bid defiance to the invader, but a rat may undermine its walls. The ship may outride many a storm but a small insect may so destroy the strength of her timbers, that she will go down at the first blast of the next gale. Our city is healthy and happy, but a single breath drawn by a visitor, to the Cholera ship in the harbor, may bring to us pestilence and death. Taking Walter Scott's beautiful simile, the tree may strike deep its roots and send wide its branches, clothed in luxuriant foliage, but a small worm may destroy its vitality and make of it an unsightly trunk, from which the raven and the vulture shall watch for their prey, or the majestic eagle find a perch.

"I asked the strong oak of the forest, wherefore, its boughs were withered and seared like the horns of the Stag, and it showed me that a small worm had gnawed its roots."

Our forefathers brought to this country the British Acorn; they gave it congenial soil. Their descendants have carefully guarded and tended it, and wherever the sons of Nova Scotia have stood, beside the men of the fatherland in the hour of danger, the world has seen that we too have "hearts of oak", but strong and vigorous as this plant of loyalty may be, the passage of this resolution may touch its vitality.

ty. It will not wither in a night; it did not spring up in a day, but its decay will be more rapid than its growth. And when in after years the Nova Scotian is asked "wherefore the tree is dead—its branches withered and scared and a resting place for the great American Eagle" he will point to this little resolution as the worm which gnawed its roots.

I ask the Prov. Sec.—I ask the House to pause, and reflect upon the consequences which every judicious man who understands the people of this Province will see are but too likely to flow from the passage of this resolution. When these consequences are developed then perhaps the Prov. Secy. will lament the evil he has brought upon the country. Lord Palmerston speaking of the Emperor of Russia said, "there is no greater calamity can befall a man than to be born to a heritage of triumphant wrong." Sir, the Prov. Secy. had not the "heritage." He sought the "wrong" it remains with this House to say whether the "wrong" shall be "triumphant."

I entreat the House to withhold from him the power to make his wrong triumphant—to prevent the evils which may flow from this confederacy. The Financial Secretary says we prophecy evil. I am no prophet, nor yet am I the son of a prophet, but I may close by repeating the words which the great King of Prophets, Isaiah, tells us God himself commanded him to utter, "Say ye not, a confederacy to all them to whom this people shall say, a confederacy, neither fear ye their fear, nor be afraid." Sirs, "Say ye not, a confederacy."

SPEECH OF HON. MR. MCFARLANE.

Hon. Mr. MCFARLANE said:—It being the intention to divide this evening on the resolution under discussion, I do not intend at any length to occupy the time and attention of the House, but the question is one of such great importance that I cannot allow the resolution to pass with a silent vote. There is no doubt that of all the momentous questions that have agitated this country, this is, beyond measure, the most important. The step we are about to take, in every probability, will affect for all time to come the destinies of our native Province—will doubtless bring prosperity or adversity, and therefore, demands grave and careful consideration. No one should assent to the measure unless assured that it is calculated to promote our future safety and happiness. There is no doubt that a large majority of the reflecting men throughout British America, as well as in Britain herself, viewing the condition of affairs on this continent, have come to the conclusion that the time has arrived when these valuable provinces can no longer continue in their present disconnected position, and must either form a united confederacy for purposes of defence, or be swallowed up by the gigantic powerful republic on our borders. For many years we have moved on peacefully and prosperously under the fostering care of the Mother Country, until we have outgrown the state of infancy, and reached that condition of maturity, population, and prosperity, which entails upon us increased responsibilities.—There can be no doubt that valuable and important as these North American Provinces are to the Mother Land, from their position to

the United States they necessarily are the weakest and least secure of the outlying Colonies of the Empire, and more than all others are calculated to cause fears for their safety. Hence the extreme solitude of Imperial statesmen and soldiers, as well as politicians, to see them, at the earliest possible moment placed in such a position and so united together as will best ensure their safety, and strengthen their connection with the Crown. It is however all important for us as Legislators, empowered to deal with the interests of the people, to see that the contemplated Union is consummated on terms fair and equitable to all the Colonies proposed to be united and that the just rights of our own Province should be carefully guarded. The question is important to us both in a political and financial point of view. But above all others, to those who value British connection, towers the question of defence. And at the present time when hordes of armed Fenians threaten an invasion of our land, it assumes increased importance. I believe in the maxim that "Union is strength" and the whole current of entreaty and advice from the Mother Land, whence we must look for protection in our time of need, unmistakably points to a similar conclusion. If we desire to ensure a continuance of that protection, it is evident, that whatever opinions in the matter we may entertain, the parties from whom we expect to receive it, believe that protection can be best provided, and our safety secured by the whole of the Provinces being united under one common head. With the financial features of the case I will not attempt to deal as it has been viewed in all its aspects, by gentlemen who have given to this branch of the subject much care and research. It was fully gone into during the debate of last session, and even under the Quebec scheme, I have been unable to discover where the interests of the province are not fairly guarded. I cannot however, say, that I was ever a defender of the entire scheme of Union agreed upon. Its basis undoubtedly is sound and the measure was prepared as far as possible to guard the interests of the weaker provinces. But where the independent judgments of a number of gentlemen with different interests to serve, are brought in contact, it is impossible that each can have his own way and there necessarily must be mutual compromises, or nothing could be accomplished. This we are informed was the case in reference to the Quebec scheme, and there being no controlling influence, the wonder is that so much was done. But under the resolution to which the House is now asked to assent, this will be remedied, and the unfair pressure of any province justly modified. We can place the utmost confidence in the integrity and love of justice which characterises British Statesman, when the facts are fairly brought before them under the terms of the resolution, which affords the smallest and weakest colony, little Prince Edward Island, the same voice in the advocacy of its claims as will be enjoyed by either of the enormous Canadian provinces. There is no reason to suppose that the interests and wishes of each colony will not be strongly urged and justly dealt with. But it is said Upper Canada, from its rapidly increasing wealth and population after Confederation, will use her power and

crush the Maritime Provinces. I deny that any such power will be exercised. But even should this be the case, what possible motive could there be for such a course? On the contrary, with a common revenue and common interest, it would clearly be for the benefit of the people of Upper Canada that the lower provinces should prosper equally with themselves—that their population should increase—their resources be developed, and their manufactures and trade be extended. And the same feeling would be felt towards Canada by the lower provinces. The prosperity and advancement of one would be felt to be to the advantage of all, and the local jealousies which now actuate us would speedily pass away. It is true, our present means of communication with Canada are circuitous and liable to interruption; but with the construction of the Intercolonial Railway which will immediately follow union, this defect will be remedied, and with the rapid and easy communication, and the increased trade that will doubtless spring into existence, we will soon get to know each other—confidence will take the place of distrust, and our people will feel that a larger field is thrown open to their enterprise. It is said the corrupt statesmen of Canada, in their anxiety for union, are animated with selfish motives, and want to get control of our country and revenues to pay their burdensome public debts. This is a device of the enemy got up to frighten our people. Any person who has travelled over that vast country and become acquainted with its great resources and growing trade, cannot fail to be convinced that this is entirely groundless.—The public debt of Canada, in proportion to her population, is little in excess of our own, while her resources and ability to meet it are equally good. But I am satisfied that altho' Canadians are certainly anxious for Union with us, it is not on this selfish ground. They know that, while their country is rapidly increasing in population and wealth, without more intimate connection with the Maritime Provinces and an outlet to the sea at all seasons, they will be continually at the mercy of the people of the United States; who having cautiously put an end to the Reciprocity Treaty, threaten also to terminate the transport of Canadian bonded Goods over their territory and thus worry the people into a desire for Annexation. Should this be the case and the United States be thus increased by the addition of three millions of people, and their great country severed from British rule; could the maritime provinces even with the aid of Britain, for any length of time maintain their connection with the empire? No, Mr. Speaker, let Canada fall under Yankee rule, and we may make up our minds soon to follow. The old flag under which we have hitherto rested in peace and revelled in liberty will depart from our shores, and the Stars and Stripes flaunt in triumph over our Citadel and Forts. But it is agreed by our opponents that this resolution should not be adopted without an appeal to the people being first made—and that the course we are pursuing is unconstitutional. In my opinion the objection is unsound and if the request was assented to it would lead to no practical result. Of the constitutional right of the Representatives of the people in Parliament, to deal with all matters affecting their constituents, there can be no doubt, the princi-

ple is admitted by all authorities on constitutional law, and certainly under no circumstances could representatives of the people be returned and this House so untrammelled by pledges, and free to exercise an independent judgment on the question as the gentlemen who now occupy these branches. But we are told that nine tenths of the people are against Union, and that they have proved this to be true from the petitions laid on the table of the House. Now what proofs do they give us that this is true, or that any large number of the people are opposed even to the Quebec Scheme. I have before me a list of every petition presented from every part of this Province during this session up to this time. The only parties that have done anything—which have sent in any respectable number of names—are those to which the hon member for Richmond was instrumental in sending petitions; namely Inverness, Richmond, and Antigonishe. From Inverness we have 1119 petitioners out of 20,000 people; Hants sends 607; Lunenburg, 502; Digby, 584; Antigonishe, 1930; King's 445; Guysboro, 367; Victoria, 531; North Colchester, 126; Shelburne, 250; East Halifax, 205; Cumberland, 172; Richmond, 638. Making a total of 8000. Digby, Cape Breton, and Yarmouth do not appear to have sent in a single petition. Are not these facts proof that there is no such feeling of excitement against the scheme as has been represented? Is that evidence that the people of Nova Scotia are working to exhibit their indignation against any person who deals with this scheme? I believe that the people of this Province having considered this matter, have made up their minds that the event is inevitable, and that they are content to trust their rights and liberties to the gentlemen who are within these walls. They are satisfied that tied up with the people as we are all of us—that whatever we possess being bound up in the prosperity of the country—we are not likely to jeopardize the public interests. Under these circumstances I feel that we are safe in passing the resolution before us, and that on its adoption largely depends the safety of the people of this country. It is for us to consider if the Confederation of these Provinces will increase their strength and power, it is not our duty as well as interest, to yield to the advice of the British Government and pass this measure. I believe that such will be the results of Union, and I am therefore ready for one to support the resolution, believing that in doing so we are tending to perpetuate British rule, and British liberty through the length and breadth of British North America.

Mr. TOWNSEND—I wish simply to observe that the people have not petitioned because they feel that the petitions are not regarded.

SPEECH OF MR. TOBIN.

Mr. TOBIN said:—I feel that I cannot allow this question to be decided without at least offering a few observations on the resolution before the House. I have waited until the last hour to address the House on the subject, feeling that every opportunity should be given to my constituents, as they are in this immediate neighborhood, if they wished to raise their voices against the Confederation of these Provinces of British North America. I have waited, and now find that no united action has been taken by my constituents in the Western

Division of the county of Halifax, against this scheme, although they have had abundant time to do so. It is hardly necessary for me to allude to their sentiments, since the hon. member who has last spoken has shown that the Western Division of Halifax has not sent in a single petition against the Confederation of these Colonies (Cheers.) Before I came into this Legislature—before I had any idea of political life, I was in favour of a Union of British North America. I was in favour of it because I thought it would give a higher standard to the people—that it would give them an elevation of sentiment and thought, and a respectability of position that they cannot expect to have in their present isolated position. Therefore it has been from my first inception of public life that I have earnestly and zealously advocated the object which the public men of the day have in view—a Union of British North America. When I looked at the state of feeling in this House last session, I was of opinion that there were hardly half a dozen of men belonging to the party with which I was connected, that were ready to come up to the mark and vote for a Union of the Provinces. To my utter surprise, on the meeting of this House, I found that an entire change had taken place in the opinions and feelings of gentlemen, and I of course could not otherwise than suppose that they are influenced by the knowledge they have gained of the views of their constituents during the recess of Parliament. I have in my conversations with members of this House stated over and over again that I was not in favour of a Union of these Provinces without the consent of the people. I feel that with their consent a Union might be consummated that would be highly beneficial, and be regarded with esteem and respect.

I have offered my opinions so often on this subject, that if the question was not to be taken to-night, I would not raise my voice, for I am utterly unable to address the House at length, labouring as I have been for some days under indisposition. Now I find that the discussion of this question in the Canadian Parliament, in 1865, occupied from the 3rd Jan. to the 26th March. The House discussed the question as in Committee, and everybody had an ample opportunity of expressing his views. The subject, however, has been so often discussed in this Legislature—at public meetings, and in the Press, that it is an old question here, whilst it was a comparatively new one in Canada. Therefore, it is not all necessary that a great deal of time should be occupied with the discussion of this question.

If we regard the condition of these Provinces we must at once see that the time has come when a change must take place in their present condition. They have, to some extent, outgrown their present Colonial condition—their state of pupillage; and, therefore, we believe the time has come when they want to be united for greater security—for mutual protection. I believe that the people of this Colony do wish to continue the connection with Great Britain, and if Union is an indispensable condition to the perpetuity of that connection, as we are told by the British Government and statesmen, we should not hesitate to adopt it. Great Britain has turned her attention towards the condition of these Colonies; she has looked at

them with a parental regard, and offered them her advice; and it is only our duty that we accept that advice in the same spirit in which it is offered.

In view of the importance of this question, it is necessary that we should all approach its discussion with that gravity and respect that is due from us as the representatives of the people. In the commencement of the debate I raised my voice against anything like a display of personal feeling and party prejudices—that we should deal with the question in a becoming spirit, and entire regard to the interests of the people who have entrusted their affairs to our care.

I do not intend to refer to the speeches which have been made on this question, but there is one part of the address of the hon. member for Yarmouth that I cannot allow to pass without a comment. He pointed to the map and showed the difference of latitude and longitude between Nova Scotia, Montreal, Toronto, and other parts of Upper Canada, for the purpose of shewing that the characteristics of the country were unfavorable for union. I confess the confederacy will not present that compact appearance which the United States present, but when you look at the difference of longitude between Maine and California, you need not think of the difference between Halifax and Toronto. You do not hear of California being discontented with the Union, separated as she is by natural barriers from the rest of her sister States. She is a flourishing member of the Union. Railroads and telegraphs have brought communities together heretofore at distances which precluded the possibility of feeling. It will therefore be seen that the argument of the hon. member does not amount to a great deal after all. When we look back at the position which this question has occupied for a great many years, we find that all of the leading minds of this province have advocated Union; but it was not until 1863 that Canada was willing to listen to propositions from the Maritime Provinces. Circumstances have changed in the Province of Canada, and as an evidence of the feelings of the people I need only refer to the fact, that after the Quebec scheme was matured, no less than 50 constituencies were appealed to, and only four candidates appeared on the hustings opposed to the scheme, and only one was returned in opposition. Here you have an evidence of the popularity of the scheme of Confederation in Canada. The result of the elections in New Brunswick has been different, but now we find that a great change is rapidly taking place in the sentiments of the people of that Province. In Newfoundland the question has assumed a most satisfactory aspect; although occupying an isolated position, the legislature has shown a most favorable disposition to enter the union when Nova Scotia and the other provinces give their assent to the measure. As respects Prince Edward Island, I am not able just now to say anything definite, but no doubt she will also fall in in good time. It has been said by the Provincial Secretary that a Union was impracticable whilst New Brunswick occupied a position of uncompromising hostility to the scheme, but the feeling of that Colony, as I have just stated, is undergoing a constant change, and it is therefore

right that we should be prepared to embrace the first opportunity of dealing with the question. As respects the Quebec resolutions, I have examined them myself. They were submitted to the Imperial Government, and Mr. Cardwell only takes exception to two of the resolutions—with respect to the constitution of the Legislative Council, and the pardoning power granted to the Lieutenant Governors. After having been examined by the statesmen and press of England, as well as of North America, and approved by such eminent authorities on both continents, I think these resolutions must be entitled to much respect; and therefore I cannot go to the length that some people do in respect to this scheme. Although delegates may be appointed by the Provinces to discuss the question of Colonial Union in England, the resolutions must form the platform—the basis of that discussion. I would myself prefer a legislative Union of the Provinces, but I feel that it is impracticable, in view of the fact that it is opposed by Lower Canada, with its large French population and peculiar laws and Institutions which they have retained since the time of Wolfe.— Their prejudices must be respected, and therefore I believe, from my conversation with gentlemen of influence in Lower Canada, that we cannot have a legislative Union at present, though do not know what may be in the womb of time. The first course that is to be pursued to adopt is a Federal Union, as propounded in the Quebec Scheme.

Mr. Tobin concluded by apologizing for detaining the House at so late an hour, but he could not refrain from offering some remarks on account of the importance of the question, and set down amid cheers.

In answer to an enquiry, the Provincial Secretary stated that it was the intention of the Government to bring the debate to a close that night. The session was already far advanced, and gentlemen were desirous of returning to their homes. A great deal of ordinary business yet remained to be transacted.

Mr. MILLER said:—I am desirous that we should get to the ordinary business of the House as soon as possible, and I am therefore ready to forego any observations that I might feel disposed to make. I have indeed peculiar reasons for wishing to address the House in reply to the attacks made upon me. Some gentlemen have attempted to charge me with inconsistency in connection with the question of a reference to the people at the polls, but if I could reply I would soon show the fallacy of the statements that have been made in reference to my course. I could justify my action, in this great crisis of the affairs of British North America, in a way that would be a conclusive answer to the charge made against me. If the present crisis was an ordinary one, I would be one of the last men to consent that any great question should be decided without going to the people, but I feel that to pursue such a course at the present time would be suicidal—that it would be tantamount to throwing the whole thing away. Therefore there is no man in this House who has greater reasons than myself to wish to speak to night, but in deference to the desire of the majority I am ready to forego that privilege, and allow to pass unnoticed the slanders that have been uttered against me for pursuing what I consider is a patriotic course.

Mr. ROBERTSON—I think, as we are discussing the Quebec scheme, it is due to the House and the country that every gentleman who is connected with that scheme, should explain fully the reasons that induced them to sign those resolutions. The Attorney General is the only gentleman who has attempted to deal with the question. The Quebec scheme has been discussed here, and I did not know it was to be brought up.

Hon. PROV. SEC. I have seen quite enough to prove to me that gentlemen have been speaking against time, and wish to delay this question.

Hon. ATTY. GENERAL—Gentlemen will remember that we wasted a considerable time during the morning and afternoon sessions because no gentleman was disposed to speak, and we were obliged to adjourn even before the proper hour. It has been well understood that this question was to be decided to-night.

Hon. PROV. SECRETARY—I have been obliged every day, since this question has been under discussion, to move a call of the House in order to have the attendance of gentlemen.

Mr. ROSS—The members of the opposition are always here.

Mr. LOCKE—It is twelve o'clock. Surely we should adjourn.

Hon. PROV. SECRETARY—I find in the press of this country most dishonorable attempts made to stir up strife and disaffection and disloyalty in this county. We have given every opportunity to gentlemen to speak on this subject, and if they have not availed themselves of it, it is their own fault entirely. I do not think that it is right that this House should longer continue this debate, and retard the general business.

Mr. LOCKE—The Provincial Secretary is afraid of public opinion operating on this Legislature.

Dr. BROWN—I hope the government will consent to an adjournment, for I do not feel well enough to address the House.

Mr. RAY said he did not intend to occupy the time of the house on this question, but the Provincial Secretary having made some observations in reference to him and his constituents on a previous day, he felt it his duty to place before the house and the country a contradiction of the statement which had been made.

Dr. BROWN suggested that the Government adjourn the debate.

Hon. PROV. SEC. said that the session being far advanced, and in view of the appeals being made to the country by the Opposition press, the debate, according to previous announcement, would be urged to a conclusion.

Mr. ROBERTSON said that the Prov. Sec., in moving the Resolution, remarked that the time for discussing the question had passed,—the manner in which the debate was forced on seemed to support the assertion.

Dr. BROWN moved that the debate be adjourned.

Mr. S. CAMPBELL seconded the motion.

Hon. PROV. SEC. moved that the main question be now put.

Mr. S. CAMPBELL moved that the house adjourn.

The motions were subsequently withdrawn to allow the discussion to proceed.

REMARKS OF MR. BLACKWOOD.

Mr. BLACKWOOD said:—I think that no member should hesitate to give his opinions to the country on such an occasion as this, and I fear that the undue pressure brought to bear to force us to a division will have the effect of preventing some gentlemen from expressing their views. Occupying the position in which this Legislature is placed, I think that ample time should be given to every member to collect his thoughts and bring them to bear upon the discussion. The resolution before us I do not intend to support. I always believed in Responsible Government and the principle upon which that sort of Government rests—that the people shall be ruled according to their well understood wishes. A member who knows the views of his constituents on this question should be prepared to give his vote like a man; but a member not knowing those views, or knowing that a majority of those whom he represents are against the measure, is in duty bound to vote against the resolution which will take away their privileges without appeal. I feel it to be my duty to refrain from giving away the rights of the people without affording them an opportunity of expressing their opinions and judging for themselves. If the great intelligence possessed by the people of this country were brought to bear on this house to-night, it would be seen that they would not part with their rights without a struggle. Union may be a good thing, but I should like to be sure that we are going to gain some substantial advantages by it. I find in the speeches of those who advocate the scheme a great deal of mere theory. Looking at the matter as a surrender of some of our privileges, I think it behooves us to examine well before passing the resolution. I have yet expressed no opinion on the principle of Union, but I will now say to the house and to the country that I will assent to no scheme until the people have passed upon it. By the division to-night we may establish what will be called an union,—but will that be an union of the people? Give me an union of heart, and thought, and action—a union that will strengthen the arm and nerve the heart upon every occasion. The people, I maintain, are able to judge of the question for themselves, and if they choose Union, I will gladly assent, but if they reject the scheme, away goes the proposition. It may be said that this Legislature constitutes the united wisdom of the country; and, while I admit that a large amount of intelligence is to be seen around these benches, I feel that, in the locality which I represent, there are men from whom I should like to hear. As the hour is late, I will not further occupy the time of the house, and I will conclude by saying that this matter should be placed in the hands of the people.

SPEECH OF MR. ROSS.

Mr. Ross said:—At this hour of the night, or rather of the morning, I do not intend to say much on the question now before the house. As

remarked by my friend, Mr. Blackwood, the Provincial Secretary is driving us into a corner, when forcing us to a division when we should be in our beds. I have taken a large number of notes, and intended defining my position, if not to the satisfaction of the majority of this house, at least to a majority of the people of Nova Scotia, and particularly that of my own constituents. A singular but unholy union had taken place.—Even during the delegation to Quebec, a certain gentleman in the Legislative Council and the Provincial Secretary could scarcely find language strong enough to express the terms of abuse and reproach which the one applied to the other.—When they got those princely dinners,—those ovations, with abundance of good wine, they began to forget what was due to Nova Scotia and to the interests of the people. As long as these were opposed to each other the wrongs and injuries done to our people were well exposed; but now both support each other, without regard to the interests of Nova Scotia. We are told that we are on the eve of a great crisis, and it is true that some Fenians are organizing in the States, but they intend to restore to Ireland what we are about destroying in this Province, namely, our noble and glorious Constitution. The American people are now beginning to enjoy peace, and it will be the work of years to place their financial affairs on a sound and proper basis.—They desire peace, and both France and England will look with jealous eye on any extension of their power on this continent. France is interested in Mexico, and Great Britain in the North American Provinces, and both would unite to prevent further increase of territory to the States. This is the best guarantee for peace. In the event of war it is acknowledged by those sent out officially to report on our defences that Canada, with its long line of land and water boundary is our weak spot, and that it cannot be defended as well as Nova Scotia, which is almost surrounded by water. Here we have men who will defend us, and are willing to do so; but force us into an union with Canada, and you will create a feeling of disloyalty among our people, the extent of which it is painful to contemplate. Therefore, in the question of defence we gain weakness instead of strength. It is said that, with the present rate of consumption, coal will be soon scarce in Great Britain, and then Nova Scotia and Cape Breton would be the last places that would be abandoned. Mr. Archibald says that this house will remain. But take away from us the power of self-government, and you take away what we most dearly cherish. The Quebec scheme is largely copied from the constitution of New Zealand, and it is singular that the constitution of that country was published by Mr. McGee about the time that our delegates were giving away Nova Scotia to meet Canadian necessities. In New Zealand there are nine different Provinces, each having its own distinct local Government, and there they complain that they are expensive, without any benefits arising from the expenditure. In that country they are strongly advocating separation, and the whole

Province of Auckland is unanimous in agitating a separation from the Southern Island. The Confederation works injuriously to the interests of the people, and we are about adopting what they are most anxious to reject. The Governor of New Zealand is called the Superintendent, and is elected by the people; but here our local Governor, selected by the Government at Ottawa, would be some creature that had claims on the political party in power and who would not have popularity enough to get a seat at Ottawa. Such will be the men who will be the future Governors of these Colonies. The House of Assembly is bad enough now, but then it will be worse; they will be like the case of a certain house from which the money-changers were driven. The Provincial Secretary says he did not approach the member from Richmond. That reminded me of an old man once in my county having a copy of Bunyan's Holy War, and showing a neighbor the picture of the taking of Mansoul, said—"See, see, what the big D—I won't do, he has got the little d—is to do for him." Some influences are at work, as will be seen by the sudden change in the minds of some members: If we are to have British institutions, why do we not follow their pattern? When Scotland was united to England, the local Parliament was abolished, and such was the case in Ireland. If we are to have Union, let it be a legislative one. There is something grand in the idea of one Government, one Legislature—but in retaining the local legislature, we will have the expense without any corresponding benefit—the shadow without the substance,—a nest of corruption for persons who will not be able to obtain seats at Ottawa. Our present revenue is about \$3.20 per head on our population; out of this we should have to hand over to Canada for the General Government \$2.40, leaving 80 cents for all local purposes, to which we add royalty on coal and some other small amounts. The first clause of the local articles gives the power of self-taxation, which is just what we should avoid; but without it our roads and bridges will go down. There is no doubt but that the delegates anticipated in their happy moments the great position that they would occupy under Confederation, forgetting the interest of Nova Scotia in the desire for position and self aggrandisement—imitating Nero, who fiddled when Rome was burning. The member for Kings, Dr. Hamilton, said that in medical practice, physicians often try experiments, but it is only on sick men or dead bodies. Nova Scotia is neither sick nor dead, but sound and in good health, wealth, and prosperity.—The Prov. Secretary says that there are but few petitions against the measure; but was it not sent to all parts of the Province that Confederation would not be considered this session? This was no doubt a piece of strategy on the part of the Pro. Secretary, who now takes everybody by surprise. There was one petition that I presented signed by all the magistrates at sessions, with the Custos at the head,—a pretty strong indication that I at least am representing the views of my constituents. The whole history of Con-

federation is based on the ambition of some of our public men and on the necessities of Canada.—Ambition is the sin of angels, and even politicians finding that they were losing power, must go to Ottawa. They are like the evil one, as described by Milton, who would rather rule in hell than fill a subordinate place in heaven. I have no ambition to gratify, no self interest to advance—but as I was early taught that Responsible Government was government according to the well understood wishes of the people, I will not agree to sell their birthrights without asking their consent, but will on the contrary stand by what I consider the dearest rights of Nova Scotia, and the express views of those whom I represent.

SPEECH OF MR. FRASER.

Mr. JAS. FRASER said:—If this were a question of ordinary importance, I would content myself by giving a silent vote, as I have frequently done, but on a measure of such great consequence I do not think that I would be justified in doing so. I will tell the house candidly that my opposition to the resolution before us is not due to any hostile feelings in reference to the principle of union. I do not think it is necessary that petitions should come from my constituents to inform me of their wishes, because, living as I do among them, I must be aware of their views, and unless a very great change has taken place since I left them I know that they are not prepared to adopt the proposition of union at present. At this time last year a scheme of Confederation was before the people, and they had an opportunity of examining and judging it. They did examine it, and a majority of them became opposed to it—not because a great deal of pains and talent had not been taken with the measure; because now that we are about to form a new delegation, I do not think that we can send gentlemen of more talent and more knowledge of the business they have to perform than those who went before. If I vote for this resolution, when I return to my constituents and tell them that I voted for "union they will naturally ask what kind of a union we are to get, and I shall be unable to tell them;—last year I could give them the details, this year I can only say that the matter is to be arranged three thousand miles away, and if they ask me who the representatives of the people will have an opportunity of passing on it afterwards I can only tell them no such opportunity will be afforded, and that they will be bound by the arrangements which are made in England. I regret that my convictions compel me to differ from many whose opinions I value, and whose friendship I desire to maintain, but I must act conscientiously, and do what I believe to be for the best interests of the country. I must say I cannot understand those who say that persons who do not fall in with the idea of union are disloyal,—the people whom I represent are as loyal as any upon the face of the globe, and if any man had the hardihood to charge disloyalty upon them it would not be necessary to hurl back the imputation—it would rebound with greater force than that with which it came. Union I believe to be desirable when we are prepared for it, but at present the people are not prepared, and they do not understand how

we would be in a better or stronger position if we disturbed our institutions. While union, if not formed in opposition to the wishes of the people would be strength, a union so forced upon them would be weakness. I hope to see the day when all these colonies will be united, and I am hardly prepared to go the length of some who propose to wait until another general election,—we can understand the opinions of our constituents without waiting for that, and it is to be feared that other matters would be brought in on such an occasion. I will not longer detain the house, and I can assure you that when the people are prepared for union I will not be found an obstacle in the way believing that a majority of them are at present opposed to the measure; I cannot be a party to an act which will sweep away their rights.

Hon. FIN. SECY. explained to the house that in parting with Mr. LeVesconte, who was abroad upon public service, he had promised that gentleman to pair off with him in case the question of Confederation was brought forward. He had no reason to believe that Mr. L. would be opposed to the resolution before the house, but lest it might be supposed that he had broken faith, he would refrain from voting on the division.

SPEECH OF MR. LAWRENCE.

Mr. LAWRENCE said:—I rise to make a few remarks on the question before the House, in discharge of the duty I owe to my constituents, and also to the country at large. I feel some reluctance in addressing the House at this late period of the session, but the profound anxiety with which I regard the feeling of the people impels me to speak. Standing as I do the representative of a free and intelligent people, honored with their confidence, anxious to discharge faithfully the trust reposed in me, I feel it is my duty to express my sentiments freely on the present occasion. There can be no great love for union where the parties to be joined have not the slightest desire to associate with each other,—right or wrong, beneficial or otherwise, it is impossible to persuade the mass of the people that the system which gives to them an equal voice in the government of the country is not the best. How many of the present members would be here, if they said to the people in 1863, that they were going to change the constitution of the country? All great questions ought to be examined with caution. Party considerations should sink, and as to the spirit with which I enter into this debate, I claim nothing more than to know what course is best to secure harmony and loyalty in our country. Neither the smiles of friends nor the frowns of foes, no political thunder either on the right hand or the left will move me, or change my mind as regards the action taken by the government on this question. A mere politician, thrown up by the dark and turbid waters of party, actuated by self-interest, can have no lasting influence over a question of this sort,—this is no party question; it passes beyond all such considerations, and such feelings should be far from every mind. Gentlemen mistake the feeling of the people of this country, if they hope to excite their admiration, or secure their confidence by displaying such newborn zeal in forcing confederation on

the people. The spirit of liberty will make itself heard wherever it exists. Let us take care of our rights, for political expediency in limiting a people's freedom is a dangerous principle, and will never satisfy a free people. I believe one of our great objects, at the present time, should be to foster a spirit of peace and harmony amongst our own people, and harmony can only be maintained by a patriotic, wise, and noble use of power. The people in every part of this country must feel that their rights are protected. So far from lending ourselves to any scheme which would threaten the safety or prosperity of our country, we should not hesitate to plant ourselves in opposition even to our political associates when they seek to promote it.

We are a free people, prosperous beyond doubt, advancing cautiously in wealth, under the protection of our good old flag, the only banner which floats over a limited monarchy and a free people. Under the British constitution we have far more freedom than any other country on the face of the earth. We have sprung from a nation in whose veins the blood of freedom circulates, and who carry everywhere the deepest attachment to their Sovereign. It is the spirit of that constitution which unites and invigorates every part of the Empire, down to the lowest member, but to pass confederation, without asking the voice of the people, will only be sowing the seed of dissatisfaction and contention among a very large portion of our population. A representative of the people is bound by the highest moral obligations to respect their wishes, and obey their will, when their sober judgment has been ascertained. Now I deplore the intolerant spirit which I see every day manifested around these Benches; it is utterly inconsistent with the true spirit of freedom. The foundation of free constitutional government is the voice of a majority of the people, and so long as it deserves the name, and wins the affection of the people, it can never be in any great danger. Now if a question of right arises between the constituent and the representative body, by what authority shall it be decided? If you leave it to the Judges, they will tell you that the law of Parliament is above them. What then remains but to leave it to the people to decide for themselves? My political career may be short, and the accomplishment may fall far short of the purposes, but the consciousness of duty discharged shall be glorious. The people are not asking for any change, and this subject would sleep if it were not for the rising zeal of some who dread an appeal to the people. Interested men may call for measures which they themselves should be most ready to lament and condemn, but upon them let the responsibility rest.

Now, in regard to Confederation, I say frankly, that whenever a majority of the people speak in favor of union, let them have it; but I will not consent to a change of the constitution without their consent. If the representatives are unfaithful to their trust, and abuse their powers by disposing of the birth-right of the people, then responsible government is not worthy of the name. We have no right to surrender the liberties and privileges which we were appointed to guard. The multitude, even though they know very little of political science,

can form a good practical judgment upon government in general, and even a better one than those in office, who cannot see their own defects and errors.

The first move in regard to a union of any kind was made in the session of 1864 by this Legislature. The Provincial Secretary then moved a resolution asking us to empower the Lieutenant Governor to communicate with New Brunswick and P. E. Island, in reference to the appointment of delegates to meet at some central point, to take into consideration and agree upon a basis for a union of the maritime provinces. That resolution was passed almost without opposition. I think it was the duty of the delegates first to have reported, for the information of the people of these provinces, what their success was as regards a union of the maritime provinces. But the action taken by the delegates at that time as to a maritime union passed away like a morning cloud or a dream in the night,—poor Nova Scotia was lost sight of, and a delegation to Canada was formed, without asking the lower provinces whether they were willing or not.

I think it is the duty of every man around these benches to define his position in regard to this great question. My position is this: I am in favor of a union of the maritime provinces, but not a union with Canada; that was my position from the time the scheme of union was first brought forward, and I still entertain the same views, and I believe that it is the view of a very large portion of the people of this country. Before I would betray the trust reposed in me, or consent, by any act or vote of mine, to surrender one jot or one tittle of the rights, or the honor, or the glory of this country "my right hand shall forget its cunning, and my tongue cleave to the roof of my mouth."

We have heard a good deal said about the Fenians, and about disloyalty to the Crown.—What does all this mean? Is it to frighten the people into Confederation? Nova Scotia is as loyal as any other country on the face of the earth, but do not disturb the birthright of the people without their consent. Sir, as regards the Fenians or any other foe, whenever they come to disturb the peace of our country, I as one am ready to meet them under the British flag—the flag of freedom; but I intend on this occasion, at whatever hazard or sacrifice of a personal kind, to do what I consider is my duty to my constituents and the country at large.

The principle which lies at the foundation of our constitution, is that which declares the people to be the source of political power. A constitution written on paper is not a safe one, a constitution to be safe must be written on the hearts of the people. The powerful temptation to betray our trust, held out by the Government, to surrender up our own convictions, ought to be resisted; a steady adherence to truth, whether in favor or out of favor, must mark the course of every man who will not lose his own respect. I do not despise popularity, I respect it. But it is that popularity which follows, and not that which is sought after; and if there be one quality, which a representative of our country ought to cultivate at the present time above all others, it is independence. Not a defiance of the well understood wishes of the people; his course

should be a manly and steady adherence to principle, through good report and evil report: a stout defiance of what he considers right through sunshine and through storm. Such independence every man should cultivate who undertakes to serve his country. Caesar, who yielded to that infirmity of noble minds—the love of power, fell in the very Senate Chamber under the avenging dagger of Brutus.—Again, Napoleon's brilliant but unwise career was checked, at the moment when he gained his highest position. When he had kept the nations in dread, he was sent a prisoner to an island far from every field of his glory, and where the dashing billows mocked at the surges of his own passions. Our liberty, once taken away, may never return, and I see by the features of the proposed scheme, if it be carried into effect, we would be exposed to two dangers: centralization and disunion;—the General Government would have gigantic power, and might employ its functions to enrich one section of the union at the expense of the other. Its complex character—blending the powers of the General Government with those of the several Local Governments, exposes it to dangers from its own action.

We are yet in the freshness of youth, and the fairest of our sisters, our seaboard and mineral wealth hold out a strong temptation to those abroad. But, sir, I would say with all sincerity, let the people of Nova Scotia make their own choice. The power of figures has been brought forward in gigantic appearance before the people of this country, differing in the various calculations to the amount of some millions of dollars, but it would puzzle the brain of the best mathematical scholar to arrive at the real truth of the matter. We may rely upon it that trade will regulate itself like water, it will find its level. That union is strength, is true, but to be strength it must be a whole union, not a half. We see nothing like a united public opinion in favor of Confederation in this country,—the contrary is the case, public opinion seems to be split throughout the land,—so much so, that a small majority in favor of the resolution would be a very poor safeguard of a lasting union. It has been said with a good deal of force, that the power to deal with this question is vested in the representatives of the people. I do not deny but they have such power, for a government with a large majority can do almost anything. But such power in regard to a change in the constitution without the consent of the people of this country will never be exercised by me. Slight causes have given rise to the fiercest and most cruel wars which history records, the ploughing up of a few acres of soil plunged the states of Greece into a sanguinary conflict. An attempt to collect ship money shook the empire of England, and drove Hampden to the field, where he lost his life in one of the first battles ever fought for constitutional liberty, and brought the anointed head of a king to the block. A tax of a few cents on a pound of tea drove the colonies into a war, which broke the dominion of the British government, and left them independent states.

Again, look at Ireland. She constitutes a portion of the British Empire. What battle has been fought in modern times by the British

arms, where Irish blood has not been freely spilled, and where Irish valor has not contributed to win the day? The Irishmen in the ranks have ever been true to their trust. They bore the British flag in triumph against the marshals of France. At Waterloo, they upheld it for Wellington against the splendid array which Napoleon mustered in person, and yet what is the state of Ireland to-day? Why, the fertile soil of Ireland, teeming with abundance, is made to support foreign landlords, absentees, who squander abroad the wealth which Ireland yields, and thousands of her sons and fair daughters have to come to America, where they can have all the safeguards to industry and enterprise.

Every Novascotian can survey his country with patriotic pride; he may sit in her councils, an equal among equals, and no man who represents her people should surrender their rights. If he does so he is already dead to the noble impulses which can alone preserve peace and liberty. The protracted discussion carried on in this House, and the angry feelings which too often characterized it, only fill the country with apprehension, and impede the progress of public business. A storm which sweeps the ocean and drives the vessel before its fury, makes the mariner look more closely to his means of safety, and a political storm which threatens to disturb the constitution of a country, only brings about a new impulse as to the great elementary principles upon which the fabric rests. Now, as regards the petitions that have come from the country, they have not met with that cordial reception which they are entitled to. It has been said that they were signed by men, women and children, and were got up by a political opposition. Now, sir, as regards the petitions that came from North Hants, I beg to say from my own personal knowledge of the names attached to them that they were not signed by women and children, but were signed by Conservatives, and Liberals (so called); men that know their duty both to themselves and their country, and would not be backward in speaking out for the protection of their birth right, if called upon to do so. General Harrison, when about to give his vote on a great question, made a noble reply to a friend, who told him he would ruin himself by the vote which he proposed to give, he exclaimed, "It is better to ruin myself than to destroy the constitution of my country."

In a free government there must always be divisions and parties; and there should be,—because eternal vigilance is the price of liberty, and nothing so stimulates vigilance as the conflicting opinions of parties. But we should ever remember that the claims of our country stand far above the claims of party. Why does a patriot await the result with suspended animation and pale cheek? Because upon the issue hangs the fate of his country. If victory light upon his standard, his altar and his friends are safe. Now, sir, with our fertile soil, our noble streams, our mineral wealth, large seaboard for navigation and shipbuilding—our population intelligent, enterprising, and religious,—these will enable us to advance with a steady and sure march in civilization. And I am for that sort of industry which spreads wealth among the laboring classes, and elevates them gradually in the scale. I believe in a firm protection of the rights of the weak, whenso-

ever they are in danger by the power of the strong; and wherever you find Englishmen, Irishmen, and Scotchmen, you will find that they carry with them the high qualities of their race, which have led the way in civilization, by spreading the great principle of freedom—freedom in religion and freedom in government—over the world. Their prosperity has been brought about by an overruling Providence. There are many who look more to the creature than to the Creator; they trust to their own strength instead of looking to Him who governs the affairs of men; and if a sparrow cannot fall to the ground without His notice, it is also probable that an empire cannot rise without His aid. May the light of liberty which now shines over our land long remain to gladden generations yet unborn! May the flag that floats over every part of British territory, and catches the eye of the navigator returning from every country, which is borne by our ships upon all the waters of the globe, and which is known and honored as the flag that is associated with all the glories of our past history, let its folds glitter before the eyes of mankind as the sign of hope and universal freedom.

I have thus expressed a few of my thoughts on this important subject now under consideration, and if the time has come when all independence of public opinion must be sacrificed at the shrine of power, when the people will sustain no man who dares to be candid, then, sir, I desire to have no participation in the administration of public affairs. I can be much happier and much more profitably employed in giving my attention to humbler duties. The right for the people to decide this question for themselves, is one of those great political rights of which no one should desire to deprive them; and I cannot consent, for one single moment, to abandon any part of their claims. I hope there is yet independent spirit in this house, that we shall not be guilty of so great an outrage as that proposed. Those who concur in passing Confederation at the present time, will take upon themselves an awful responsibility; a responsibility for which their constituents will call them to a strict account. This resolution may pass, but if it does, those who vote for it will lose the confidence, and the judgment and good sense of a very large majority of the people. I see that party training is going on; proscriptive spirit is rising; every appeal that can be made to human passions is urged, and names not of the most pleasing kind are freely bestowed upon those who have the firmness to oppose a change in the constitution. Sir, names can never effect principles or change position. Ingenuity may coin them, and effrontery apply them, but the actual relations of life remain the same,—therefore let us be faithful to our great trust.—From the battlefields of all the earth upon which liberty has set up her standard, there comes to us the cry "be faithful," from the crumbled senate halls of nations for ever passed away, there comes to us an imploring appeal to be faithful to those who put their confidence in us. But, if Confederation must pass by a majority in the House, without the consent of a majority of the people of this country, then I say to my constituents, and also to the country at large, "thou canst not say I did it."

SPEECH OF MR. COFFIN.

Mr. COFFIN. — I regret that I am obliged to address the House at this late hour of the night; but as we are denied the privilege of another day's debate, and as the death-knell of my country is sounding, I do not wish to give a silent vote. The subject before the House is one of two great magnitude to be passed over lightly; it is a question of greater magnitude than any that has hitherto been before the Legislature. It is one calculated to sweep away our constitution, the dearest rights of Nova-Scotians as free men; it is one, sir, calculated to raise the ire of every one of Nova Scotia's sons; it is one that cannot be passed without ignoring the rights of the electors of Nova Scotia. Sir, I regret exceedingly that a resolution was passed in this House in 1864, authorizing a delegation to consult as to the propriety of a union of the Maritime Provinces, for out of that has grown the delegation to Quebec, and there with closed doors a consultation was held which ended in bartering away this fine Province, the people, and the constitution, to Canadian rule. There we have been sold, there we have been valued, there the rights dear to us of governing ourselves, and of being in ourselves a free, independent and contented people, were given up; and when it is known through the length and breadth of the land that this resolution has been passed, then it is that the indignation of the people will be aroused to an extent perhaps that will be calculated to weaken the strong feelings of attachment to their rulers that had hitherto existed. If this question had been approached in a way that was fair and honorable by first submitting the whole question to the country at the polls, and if it were then passed by the Legislature there would not have been the cause of complaint which at present exists. This is indeed a most dangerous step which is about to be taken; we have a thinking and intelligent people in Nova Scotia—a people that will not be likely to tolerate having their constitution bartered away without their consent, and without having those privileges which responsible government was intended to secure to them. I do not believe that the Imperial Parliament will ratify this scheme, if they are made properly acquainted with the whole transaction and with the facts which bear upon the case. Loyalty to the Crown has been spoken of. Sir, we pretend to foster that feeling, whilst at the same time a few men who now govern the country—who are expected to govern the people according to their well understood wishes, and who obtained place and power at the polls in 1863 under the cry of retrenchment, but who have so managed the public affairs as to gain for themselves, as they well know, the withering rebuke of seven-eighths of the people, to cap the climax—without submitting the measure to the people—they urge us to pass a resolution to deprive our beloved country of its Constitution. Sir, I would ask can language be employed sufficiently strong to convey the disapproval of this act? I have heard strong language made use of here at times; I heard only the other day the Prov. Secretary make use of the word "traitor" to another hon gentleman across the floor of this house. Sir, I will not make use of that term, but I am at a loss for

language sufficiently strong and severe without doing so. What can be said of the men who, in the face of the fact of nine-tenths of the people of this Province being decidedly adverse to the passage of this resolution, propose to sweep away our constitution and make us subservient to the rule of Canadian Statesmen, in whose wisdom for governing a country we have but little faith, and from whom we are severed for six months of the year as to any mode of travelling over British territory by land, and entirely shut out by sea, and for the other six months we have very indifferent communication. It is said we are to have the Intercolonial Railway. This may be the case in the course of time, but the Intercolonial Railway should have preceded the Union of the Colonies. Why, sir, suppose a war was to break out between the United States and Great Britain, and the General Parliament had to be convened in winter months at Ottawa, how are we to reach there? Would it be over the ice, or on snow shoes ever land? Sir, had the public men of Canada been true to their interests, and the Colonial Secretaries of England been true to their engagements, we should long before this have had the railway built.—Can Canadians or Nova Scotians expect to build that railway on terms made easier as to finances than by the offers made by the British Government in 1862, to which the Canadians refused to accede? If they had acceded, the road might now have been built. The reason for Canada not accepting the offers then made may have been that they expected at some future day to use that work as a lever by which to force the Maritime Provinces into a union; and, sir, may we not well believe that they have accomplished the end in view? They must be famous for their powers of persuasion or they never could have buttered the delegation from this Province so smoothly as to get them to sign that document at Quebec. I believe it was at the last great dinner at Montreal that the iniquitous scheme was completed—a scheme so unjust to the people of this Province—a scheme by which the country and the Constitution they loved so well have been most grossly bartered away—and a scheme that the government of this Province will not, nay, sir, dare not, submit to the people at the polls. But it may be said by the friends of this measure that the scheme is to be altered, they having met the propositions of the hon gentleman from Richmond, but does not every one know that this is a farce, a delusion? Does not every one know that that proposition was known to the government long before it was announced on the floors of this house? The resolution is that the British Government shall arbitrate between con ending parties, when the British Government have already declared in favor of the Quebec scheme, and, I believe, without looking minutely into the matter; but having passed on the Quebec scheme already, they will not retract;—and the government of Nova Scotia having already pledged themselves over and over again to the Quebec scheme, does any one suppose that they will compromise themselves by going as a delegation to England to persuade the British Government to make alterations which they well know Canada will not agree to. They would be fools if they did, seeing the way in which this resolution passed this house,

if it does pass. Do you wish to heap insult upon injury by trying to delude the people of this country with such a resolution? Sir, I say again do you wish to insult the common intelligence of Nova Scotians? Several questions that should be answered by the promoters of this scheme are these: Did not the delegation at Quebec sit in secret? Did they not conclude that Quebec scheme with closed doors? Was it not understood by all the parties then that the terms of the scheme were not to be disclosed until all the delegates should return? Did not the Canadian delegates proceed post haste to England, there to implore the Secretary for the Colonies to aid their propositions? And was it not urged at the Colonial Secretary's office nearly as soon as in Temperance Hall? Sir, I do not wonder that the Canadians should with such haste endeavour to excite the sympathies of the British government in favour of this scheme when they had made a bargain so much to their own advantage. I believe that could the disadvantages that this involves to Nova Scotia have been shewn to the British government they could not have been so blind to our interests as to favour such a scheme; but all this will be represented to the British government. It is not impossible nor unlikely that this may yet be a question of greater moment in the Parliament of England than may now be imagined, and when it is known that this Quebec scheme is so distasteful to the people of this province; when the injustice of the case comes to be known, and the discontent and strife that will be engendered thereby, I feel some hope that the British government will pause before they pass an act to make this resolution become the law of the land. I presume that the British government will have a detailed account of the whole scheme; a pounds shillings and pence version of the whole affair; a matter of fact proposition for them to solve; and when they do know, as I believe they do not know, that Nova Scotia must lose at least \$200,000 a year by the arrangement, which they will have to make up by direct taxation—and that that will be a mode of raising money—that will be likely to create a very bad feeling and perhaps almost a revolution in the country, they will pause before they pass the act. But, sir, in making use of this language, I am quite aware that I shall be styled by the promoters of this infamous scheme an annexationist; but this I deny, and I claim to possess as loyal feelings to my beloved Queen as any man in this assembly, and it is with feelings loyal to the crown of Great Britain that I warn you now of the danger there is of creating a feeling of hostility to the Government of Britain by the passage of this act. The feelings of the people of England have been quoted here by the hon. Attorney General, and the applause he received at the Manchester dinner when introduced as one of the union delegates. But, sir, did the honorable Attorney General ask them their views of our relation to England under the union? If he had they would have told him that united we would no longer be an expense to England for protection. And this is the general impression of the people of England. I was in England last winter, and in Manchester, and was in conversation with gentlemen there of high standing, some of the Manchester school, and found that

this was the general idea that these Provinces united would no longer be a burthen to the people of England for protection, and I found this to be the idea of a very large proportion of the people there with whom I came in contact, but I do not mean to say that the British government entertain that idea. Now, sir, having kept the house so long at this late hour I will not prolong my remarks, but should have done so if time had been allowed. I feel that I am doing my duty to Nova Scotia, as my native land, to the people I am here to represent, and to myself, by voting against the resolution laid on the table by the hon. Prov. Secy., and for the amendment offered by the hon. and learned gentleman from Guysboro.

REMARKS OF MR. HATFIELD.

Mr. HATFIELD said:—I feel that the duty devolves upon me of expressing my views on this resolution. I may state that until this evening no one has been informed of the way in which I intend to vote; when meetings were held at Yarmouth and Argyle I said I would not give a decided opinion until the legislature met, and the pros and cons of the question laid before us. I have come here, I have heard speeches upon both sides, and have made up my mind to vote against the resolution which the government have introduced. I feel that the duty which I owe to my constituency, and that duty is not a small one, requires that I should take this action. Since coming to this house I have supported the government almost to a vote, sometimes with a disregard of my personal position, but on this measure I will do what is right irrespective of political feelings and with a determination to stand or fall by the course which I pursue. I have frequently felt diffident in addressing the house, feeling that I was a young member and unaccustomed to public speaking, in comparison with some gentlemen who frequently address us, but to-night I stand firm in the conviction that the course I am taking is one that becomes my position. We find that out of the ten or eleven lawyers who have seats in this house, nine are in favor of the scheme, and what is their object unless it be personal aggrandisement? To-night we have seen a gentleman sitting here, and not revealing even to his own colleagues that he had "paired off" with another member and did not intend to vote on the division. That certainly looks suspicious, and has convinced me that all the circumstances connected with the transaction have not been revealed. I have made these few remarks without preparation, and would not have spoken to-night if the Prov. Secretary had not forced the division.

REMARKS OF DR. BROWN.

Dr. BROWN said:—At this hour of the night, Mr. Speaker, and fatigued as I am by a long journey, it is not possible for me to collect my thoughts sufficiently to make a two hours speech on this all-important subject, I shall therefore content myself with a few remarks directed to one or two points only. I should not object to the resolution before the house, provided the people were allowed to decide the question. It is not impossible, though I confess I cannot see it, that Union with Canada may be ultimately beneficial to the country. If so, the people in process of

time would gradually alter their tone, and at last willingly adopt the change.

But I ask, sir, where is the necessity for this indecent haste? Haste in a two-fold sense. Haste, not only in cramming this measure down the people's throats without their consent and against the will of a vast majority, but haste in bringing this debate to a close to-night, and thus stifling the voice of free discussion. Nothing can be more arbitrary than the conduct of the government. They can fritter away days and weeks on useless and frivolous matters, but on the great question, whether Nova Scotia shall retain her rights and liberties—her very existence, the Provincial Sec'y denies us an hour. I ask, sir, where is the necessity for action? Why not remain as we are? What is the emergency? Is it, because, as the Provincial Secretary has admitted, the government and union party in this house are afraid to hear the voice of the people? I thank the Pro. Sec'y. for the admission—it is candid, and explains his position. The emergency, Mr. Speaker, is not the emergency of the people, it is the emergency of the rulers of the people. Why is it that they will not refer this measure, this most momentous of all measures that ever came before this Legislature, to the people whom it most concerns? simply because they dare not. Do you suppose, sir, can any man imagine, if the government had a ghost of a chance they would hesitate to appeal to the hustings? The voice of the people and the voice of their representatives are stifled, because they know it is against them. Now, sir, this act may be perpetrated, the rights of the people of Nova Scotia may be trampled on, and ignored, but I apprehend this will not be the end of the contest. The voice of the people though silenced for the present will make itself heard. I mistake much if the free and intelligent people of Nova Scotia will quietly submit to be crushed and overriden—I mistake much if the honest and enlightened farmers of Kings County will quietly submit to it. And when I speak of Kings County I mean not only South Kings, which I have the honor to represent, but North Kings which is, I have every reason to know, equally strong in its condemnation of this measure. I do not hesitate to declare it as my opinion in the presence of the members for North Kings that three-fourths of the electors of that district are opposed to it, and are only waiting for an opportunity to sweep it and its authors away together. My learned friend from North Kings, Dr. Hamilton, says he has learned from a correspondent in Kings that Mr. Howe's letters have had the effect of cementing the Conservatives in that county. I agree with him that the minds of all parties, with few exceptions, concur in one point—in denouncing union with Canada. I have just returned from a visit home, and find the anti-union feeling stronger than ever.

Several of my pro-confederate neighbours said to me, they would like confederation but not without the test of the people's approval.—Dr. Hamilton also disputes the reported issue of the Canning meeting, now I have it from the most reliable authority, authority that the learned member himself will not question, that against one of the resolutions carried, there was but one vote, and against the other only three or four. Canning is in the Doctor's im-

mediate vicinity and a large number of his constituents reside there. The learned member referred also to his probable retirement from public life. I advise him to do so by all means. He certainly could not do a more prudent thing. I should be glad also to hear my friend and colleague Mr. Bill give his opinion on the resolutions before the house. On a question of such transcendent proportions and magnitude, a question truly of life and death, no man should be content with giving a silent vote. I conclude by imploring the house to let the people be heard at the polls.

DR. HAMILTON:—My observations merely referred to North Kings, I did not refer to South Kings, and I am prepared to-morrow to resign my seat, if Dr. Brown will contest it with me. With regard to the meeting at Canning, I have four letters in my pocket referring to it; one says there were sixty persons present; another says eighty; another says that the number was one hundred, and a good many of them were boys. I should like to ask Dr. Brown who instigated the meeting? I think the suggestion came from a gentleman not far from me. As to South Kings, the hon. member knows that I have stood at the polling places pleading for him before he chose to change sides. I have in my possession a letter from one of the first men in King's, and he says he hopes the House will pass Confederation; another letter is from a person who says he would like to see the American flag floating over the Province, and perhaps such sentiments as his had a good deal to do with the Canning meeting.

DR. BROWN:—I accept the learned member's challenge to meet him at North King's. It will give me great pleasure to vacate my seat to-morrow, if he will do the same for that purpose. It will be a pleasant and innocent way for him to learn the opinion of his constituents. I don't know who the learned member's correspondents are. D. R. Daton, Esq. was mine, and the Doctor himself will agree with me that this gentleman is entitled to credit and respect. I did not, as he insinuates, suggest the meeting at Canning—in that my learned friend has only made a bad guess.

MR. KILLAM:—It is well known, as was admitted by the Pro. Sec. himself, that the government do not possess the confidence of the country and what then is our position? The government, in the face of this fact, bring forward a measure to change our entire constitution, and call upon members to support them. What would the leader of the House of Commons do if he were obliged to make such an admission? The observations of some gentlemen who have spoken to-night I think will give the government a lesson that cannot soon be forgotten.

MR. MCKAY said:—I intend to adopt a different course from that pursued by my colleague on this question, and I will state a few of the reasons which influence me. Last winter I was opposed to the Quebec scheme; this session a resolution has been introduced to modify that scheme in its details. If a change has become necessary for our security, let us form our in-

stitutions by our own judgment, and not by the direction of the neighboring Republic. One of the members for Yarmouth admitted that nine-tenths of the people of that county are in favour of annexation,—these are opinions which no loyalist can endorse. Another gentleman taking a prominent stand in this discussion has made remarks concerning our Lieut. Governor which I cannot endorse. I have received some letters from my constituents, asking me to support the resolution, and I have received none to the contrary.

Mr. KILLAM replied that his colleague, Mr. Townsend, had merely intimated that a majority of the people of Yarmouth preferred annexation to Confederation.

Mr. LOCKE said that in the session of 1862 the Atty. General applied the phrase "dumb jogs" to gentlemen whom he opposed,—that expression could be very appropriately applied to gentlemen on the government side, who allowed the speeches of gentlemen opposed to the resolution to pass unanswered.

Hon. ATTY. GEN. said that the gentlemen to whom that phrase was applied in 1862, bore it pretty easily, and he presumed that his friends could do the same on this occasion.

The question was then taken upon Mr. S. Campbell's amendment, which was negatived, eighteen voting for it and thirty-one against it.

For the amendment—Messrs. Killam, Hebb, Hatfield, Balcom, Townsend, Lawrence, Moore, Robertson, Locke, S. Campbell, Blanchard, McLelan, Ross, King, Ray, Brown, Coffin and Annand.

Against:—Messrs. Bill, Hill, C. J. Campbell, Shannon, D. Fraser, Allison, Jno. Campbell, Whitman, Pryor, Longley, Parker, Heffernan, Kaulback, McKay, Jost, Donkin, Bourinot, Tobin, Miller, McDonnell, McKinnon, Robicheau, McFarlane, Prov. Sec., Atty. General, Blanchard, Cowie, Hamilton, Colin Campbell, Smith and Archibald.

The resolution passed 31 to 19, Mr. J. Fraser voting with the minority.

The House adjourned.

WEDNESDAY, 18th April.

The house met at 3 o'clock.

Mr. COFFIN reported from the committee on Land Damages.

Hon. PROV. SEC. laid on the table the Report of the President and Directors of the Horticultural Society.

Hon. Mr. MCFARLANE introduced a bill to enable School District No. 34, Cumberland to sell an old house and lot.

The House then went into committee and passed the following bills:

To legalize Assessment Rolls in the county of Kings.

To legalize Assessment Rolls in the county of Digby.

To amend the Act incorporating the Governors of King's College, Windsor.

Bill relative to Assessment in the county of Yarmouth.

To authorize the sale of a school house at Lower Stewiacke.

An act for the better security of the Crown in Nova Scotia against seditious and treasonable practices and acts.

On the bill to amend chap. 45 of County Assessment some desultory discussion ensued.

Mr. ARCHIBALD explained that at present assessment is based upon real and personal property. A man who possesses a large amount of income, and little or no real estate, is not taxed in proportion to his wealth. The object of the bill is to make his income liable, and thereby relieve the poorer classes to a large extent.

Mr. STEWART CAMPBELL said that this was an attempt to impose upon the Province at large an income tax, at best a most inquisitorial tax. He moved that the bill be deferred.

Mr. ALLISON thought that the bill was very much required; a farmer was now heavily taxed, whilst his neighbour, a much richer one who lent money, had little or no taxes to pay comparatively.

Mr. BLANCHARD said that the present bill only meant to establish the principle in existence in the city.

Mr. COFFIN and Mr. TOWNSEND hoped that the bill would not pass, as it might operate injuriously.

Mr. PARKER supported the bill, as it would favour the poor.

Mr. BILL said that there was no question as to the correctness of the principle of the bill, but how would it work in the country where the credit system so largely prevails?

Mr. COWIE said that the difficulty was to ascertain the actual income a man might have. He could understand how the bill might work in reference to a man who lends money out at interest.

Mr. BLANCHARD said that the bill was not of an inquisitorial character; if a man was not taxed fairly he had his remedy by making an affidavit of the fact.

Mr. DONKIN believed that any gentleman who reflected on the subject would see the propriety of the bill before the House.

Hon. ATTY. GENL. was in favour of the principle of the bill; but suggested whether a more simple machinery could not be found than what was in the bill. He believed that a fair system of taxation, something like what was proposed in the bill, would relieve the industrial classes largely from taxation. He was afraid the present measure went too far.

Hon. PROV. SEC. was of opinion that the bill was a good one; the effect would be to relieve the poorer classes.

Mr. ROSS pointed out defects in the existing assessment law; there should be a general assessor appointed in every county by the sessions.

Mr. KILLAM doubted the advisability of the measure.

Dr. HAMILTON was glad to see such a law introduced.

The Committee rose and reported progress.

Mr. ARCHIBALD introduced a bill to authorize the sale of certain school lands.

Hon. Mr. SHANNON a bill to incorporate the Intercolonial Coal Mining Company.

The House adjourned.

THURSDAY, April 19.

The house met at 3 o'clock.

Mr. BLANCHARD introduced a bill to amend the Act concerning the City of Halifax.

Dr. BROWN presented two petitions from King's County against Confederation.

Mr. JOST presented the Report of the Committee on Public Accounts.

HALIFAX GRAMMAR SCHOOL.

Hon. PROV. SEC. moved the adoption of the Report of the Committee on Education.

Mr. BLANCHARD called attention to the clause of the Report referring to the Halifax Grammar School,—that clause recommended a reduction of the fees of that school, but recommends that the act incorporating the trustees be not repealed. He said that one fact was patent on the face of the matter, viz: that there was a law placing all the educational institutions of the country on one footing and making them free, but that in Halifax there was an anomaly, a school which was not free, being supported by a public grant, and taken from the public and the citizens to whom it belonged. If the more wealthy classes in Halifax did not wish to send their children to the common schools they should bear the expense of their education without the public aid.

Hon. PROV. SEC. said that the committee had carefully considered the matter, and had before them the trustees of the school, who represented that the most wealthy citizens of Halifax were those who had contributed most largely to the support of the common schools without availing themselves of their benefits. In addition to this argument the title of the trustees had been fully established.

Mr. ARCHIBALD said that the commissioners, upon their appointment, found that the Grammar School property was the only school property belonging to the public. That it did belong to the public the origin of the fund by which it was established clearly shewed. He appreciated the argument to which the Prov. Sec. referred, but it was founded upon a wrong principle, because the school should be public to all the citizens of Halifax instead of being taken as private property.

Hon. Mr. SHANNON said that if the present building had been allowed to crumble into dust no complaint would have been made. It had been felt to be discreditably to Halifax that the high school of the city should be located in a building so unsuitable, and arrangements were being made for its removal. The Grammar School had always been a good one, many of its pupils had won distinctions in after life, and among all classes in the community the feeling prevailed that the existing arrangements should not be interfered with. The school, he said, was now a public school, for a public school was not necessarily a free school.

Mr. PRYOR said that the Grammar School was an institution highly valued by every citizen. He read the various enactments connected with the property, contending that there was a clear title in the trustees who, in accordance with the act of last Session had made arrangements for the purchase of another property. He stated that numbers of pupils had been admitted free of charge. The school was the first in which the classics were taught in Ha-

lifax, and after the lapse of a century was still inferior to none in the Province.

Mr. BLANCHARD said that a school supported by public grant could be nothing but a public school, and should be free. He had previously stated that under the arrangements which had been made the schools in Halifax would become denominational,—that had been denied, but it had been clearly proved since then, and the only available for public purposes was not in the hands of the Commissioners.

Mr. BOURINOT said that gentlemen of various denominations appeared before the Committee and supported the recommendations contained in the report. The attempt to disturb the arrangements of the school should have been made last year, if made at all.

Mr. ARCHIBALD said that the number of pupils attending school in Halifax before the new education law had been 750, and that number had been increased to 1900; to educate these children five school houses were required, and the Commissioners desired to have possession of the Grammar School property for general school purposes. The school as at present conducted was a private one.

Mr. TOBIN thought it would be unwise to disturb existing relations.

Mr. BLANCHARD said that he had objected to the passage of the Act last year, but had withdrawn his opposition on the members for Halifax giving the bill their support. As those gentlemen took the same view on this question he would not divide the house.

MISCELLANEOUS.

Hon. FIN SEC'Y. laid on the table the subdivision of the road grant. In reference to the opening of harbors in Richmond county, he said but one would be undertaken this year, and other appropriations would probably be made next year.

Hon. PRO. SEC'Y. introduced a bill to amend the act for the better encouragement of education—the object of the bill being to afford facilities to schools in poorer districts participating in the grant for the present year.

Mr. TOBIN moved the adoption of the report of the Railway Committee.

Mr. LONGLEY referred to a recommendation in the Report, relative to compensation for Railway damages. He thought the amount awarded was too large.

The award of the Committee was agreed to with the understanding that the claimant pay the charges of conveying the lands.

Mr. LONGLEY also took exception to another clause of the report which awarded damages for the destruction of cattle, on the ground that such claims should be left for adjustment to the department.

After a brief discussion the Report was adopted.

The House adjourned.

FRIDAY, April 20.

MISCELLANEOUS.

Mr. C. J. CAMPBELL said that an amicable arrangement having been come to in reference to some of the church properties in Cape Breton, he had come to the conclusion to withdraw the bill which had been before the house, in reference to the Presbyterian Church of the Lower Provinces. He had been reluctantly

drawn into the dispute and had endeavoured to keep as calm as possible in the debate which had taken place, believing that any other course would be unbecoming his position. He was sorry, however, to find that some who opposed the bill had made aspersions upon his character as if the matter had been a personal one of his own, instead of being brought forward, as it was, in the interests of parties who had put substantial claims in his hands. When his colleague, Mr. Ross, had addressed the house he had paid great attention to his observations, but on looking at the notes which he then made he found nothing requiring reply; on reading the report of the speech, however, he found it was a set address, not bearing on the question, but made for the purpose of being sent to the country that it was full of personal abuse and insinuations. He felt it his duty now to review that speech. It seemed as if the pen of the writer had been dipped in poison at every sentence. He had made friendly overtures to his colleague with a view to terminate the quarrels which had marked their intercourse, because he greatly disliked to have such a spirit of strife existing, and because he would rather fight half a dozen men than one woman. The more overtures he made the more liberties were taken with character. Mr. Ross had said that he Mr. Campbell, had frequently changed his politics and his religion—this was a very serious charge—his political character had been before the country for fifteen years and it was well known that he had never changed his politics in the course of his public life, he had never given a party vote to the Liberals. As a proof of that, he stated he had declined to support Mr. Howe's Railway policy,—he was cheated out of his seat in consequence, but had never since failed to give his vote to the party which he was returned to sustain. That he had changed his religion, as had been stated, he flatly denied; in 1843 when the disruption from the Church of Scotland took place he had followed the course adopted by almost the entire people, and by his colleague as well;—the union took place in 1860, the census was made up in 1861, and in the returns no place was left for the free church, and the statements of his colleague upon that point were wilful misrepresentations. Mr. Ross probably was not aware of the obligations which he was under to him, Mr. Campbell; if it were not for him he, Mr. R., might then be learning a trade in the Penitentiary. Some years ago there was an affidavit in connection with the road service which came to his observation, and he found it to be an entire fabrication and forgery on the part of his colleague.

Mr. BLANCHARD here said that if these remarks were continued he would call to order and have the words taken down.

Mr. CAMPBELL continued:—Another return of over expenditure was not to be found, the money had been paid on the order of his colleague, and no explanation could be ascertained until a clerk had left one of the departments, and a letter which he had received from Mr. Ross was discovered in which Mr. R. begged that the returns be destroyed before he, Mr. Campbell, could see them. He felt bound then to show the House the cause of the enmity which had existed. His colleague had subsequently acknowledged the whole

transaction and was treated with great leniency. He was then deprived of the Post Office, and also removed from the office of Justice of the Peace, neither of which he ever got since. Ever since that he had treated Mr. K. with every forbearance, but these efforts at reconciliation were only met by defamation and hostility. As to the statement that one of the petitions was signed by a person who was in California, the church was built on the land of this very person, two acres being taken as church property. As to the attacks on Mr. McIver he enquired what the person's character had to do with that bill before the House? Mr. McIver was a British subject, and had a perfect right to petition without having vile epithets applied to him. He denied having attacked the Editor of the Presbyterian Witness,—he had a case which required no such aid, and as to the statement that he had prevented the settlement of the Middle River dispute, such an assertion was a vile slander as he had used every effort to promote an amicable arrangement. A man could protect himself against a thief, but not against one who made inaccurate statements.

Mr. BLANCHARD asked that these words be taken down, and the galleries were therefore cleared. After being re-opened,

Mr. CAMPBELL continued:—It had been said that there was no cemetery in connection with the church at Cape North, he did not understand how such could be the case when for so long a period there was a congregation there. A remark had also been made as to the Provincial Secretary in the matter; he did not understand the meaning of this observation, for when the matter had been brought up in the previous session that gentleman voted against the bill for repealing the union. He strongly condemned the language made use of by his colleague in reference to the Inspector of Schools in Victoria county, and in reference to Mr. Hart, one of the petitioners, who had been spoken of as being under his (Mr. Campbell's) control;—Mr. Hart was a highly respectable individual, to whom no such language was applicable.

Hon. Prov. Sec. said that on a previous occasion he had voted against the bill, believing it unwise to disturb existing arrangements, but on this occasion, when he had expected to hear substantial arguments against the measure, he was surprised to hear nothing but an onslaught on Mr. Campbell, on the government, and on an officer of the government. When gentlemen opposite considered it necessary to adopt that course, no alternative was left for him but to vote for the bill;—he was, however, not sorry that it was withdrawn.

Mr. BLANCHARD said that the Prov. Sec. misapprehended the whole argument if he supposed that reasons had not been given against the bill; the whole matter had been previously argued, and the Prov. Sec. had made a speech then, declaring that it would be the next thing to sacrifice to disturb existing arrangements. He denied that any unwarranted attack had been made by the opponents of the bill. For the honor of the house he was bound to say that

the language just used by the member for Victoria was disgraceful in the highest degree to the house and to the member using it. As to the attack on Melver, he had in his possession evidence to show that everything which was said was justified, for the Court of Sessions had unanimously voted at a recent session that that person had used language beneath the dignity of a Justice of the Peace, which office he held.

Mr. ARCHIBALD said that if the Prov. Sec. did not understand the matter it was because that gentleman was not present at the discussion. He denied having made the matter a political one—he had not even requested the vote of his own friends and the government should be indebted to him for informing them of the action of one of their officers who was making use of his position to stir up strife and animosity. As to the member for Victoria (Mr. Churchill), he did not feel it necessary to say a word—he was content that that member should be judged by his own position.

Lion. ATTY. GEN. said that the opponents of the bill threatened the house with the influence of a religious denomination, and subsequently told members that they were guilty of impertinence in dealing with the subject at all. He was astonished at the adoption of such a course, and he felt pleased to find that the whole subject was now to be adjusted without legislative interference. If proper precaution had been taken with the bill effecting the union these applications would not have come up, but they were the result of an interference with private rights.

Mr. ARCHIBALD said that the act referred to reserved every private right, and he therefore felt that the Atty. Genl. could not have understood the question in making the statements just delivered. He had not threatened the house as had been said, but had remarked that every one of the 69,000 Presbyterians of the Province would feel the action of the house to be a personal insult, for it need not be supposed that they would allow politicians thus to interfere with their ecclesiastical concerns. If it were not that the member for Victoria had a personal interest in the matter the subject should not have been heard of, and perhaps if that gentleman were bought off there would be peace.

Mr. ROSS replied that his colleague said that he would sooner fight six men than one woman. Let him resign his seat; let him leave this house and come down to Victoria. He would do the same; he would find then if he was a man or not. He found him a man in 1859, in 1861, and would again find him a man. He was under no obligation to his colleague; the most vicious Italian or Spaniard could not have done more to attempt to keep him down and to traduce his character, and when asked by his own friends for the reason, said, "Ross is getting too popular; I want to have a slap at him."—He never committed either forgery or perjury, and no one knows it better than Mr. Campbell; if he had, his relentless and vicious enemy would be the first to take advantage of it. He had in his desk at his lodgings, and would place it on the table to-morrow, a letter that he wrote

to the Attorney General of the day, asking him to make out a case against him, in order that he would have a public way of vindicating his character. He never would have been in the Assembly only for the miserable attempt Mr. Campbell made to crush him. The worst he could say would only rise him in the estimation of his friends. He was too well known in this city and in his own county to be injured by anything and everything his colleague could say about him. His remarks the other day were printed, because those petitions were brought hereby his colleague, and would never have been here without his influence. As he said before, let his colleague come to Victoria, and he would yet find that he was a man that would place him in his proper position in that county.

The following are the letters referred to by Mr. ROSS, which he laid on the table the next day:—

ST. ANN'S, VICTORIA, April 14, 1859.

SIR,—As there are parties in this County who are using every means to injure my character relative to my dismissal from the Magistracy and the Post Office, I would desire that the whole matter be explained in Court, and that the Government will bring the case forward in order to give me an opportunity of explaining everything that can bear on said case, and of setting myself right before a jury of my countrymen. I think it is but just that this be done, as I value my character too well to allow matters to pass without an open way of explaining my conduct to the people of this county.

I remain, Sir, your humble servant,

WILLIAM W. SS.

Hon. J. W. Johnston.

Attorney General, Halifax. }

GENERAL POST OFFICE,

Halifax, Feb. 22nd, 1866. }

DEAR SIR,—I beg to state, in reply to your communication of this morning, that I am not aware of having received any charge against you, previous to Mr. M. Lowe taking possession of the office in 1855, as Post Master of English Town.

During the time you acted as Post Master at the above place, your accounts were always regularly forwarded, and balances promptly paid.

I have the honor to be,

Dear Sir,

Your most obedient servant,

A. WOODGATE.

Wm. Ross, Esq. M. P. P.

Mr. BOURINOT introduced a bill to regulate the terms of the Supreme Court in Cape Breton.

Mr. MILLER presented a petition from the inhabitants of Little Arichat asking that the name of that place be changed to West Arichat; also a bill in accordance with the prayer thereof.

Mr. McFARLANE reported from the Committee on Mines and Minerals in favour of extending the leases of Coal Mines from 1886, the royalty to remain the same.

Also introduced a bill carrying out recommendation of report.

The house adjourned.

MONDAY, April 28rd.

The House met at 8 o'clock.

Hon. FINLAY SEC moved the adoption of the sub-division of road grants.

Dr. BROWN, referring to the sub-division of

the Road grant, said he did not see why South Kings had received so small an allowance. Antigonish had received for roads over \$5000 and or Navigation securities over \$8000 He felt bound to say that the distribution was unfair and unjust.

Mr. LOCKE enquired whether the road through Shelburne, Annapolis and Digby Counties would be surveyed.

Hon. PRO SEC replied in the affirmative.

Mr. ANNAND remarked that East Halifax had not received a fair proportion, considering the great wants of the district.

Hon. ATTY GENL explained as to the requirements of money in Antigonish.

Mr. PRYOR spoke of several improvements which were required in Western Halifax.

Mr. ANNAND said that out of the allowance for the County of Halifax the Eastern division received but two-fifths, while the Western division received three-fifths.

DEATH OF DR. SLAYTER.

Hon. PRO SEC. said that gentlemen were aware that the government had recently been called on to encounter unusual circumstances by the arrival of a ship at the Port of Halifax having a very infectious disease on board. The vessel was so disabled by the sickness of her crew that the late Health Officer had stated that if she had been ordered to sea immediately the most serious consequences would have resulted. That officer had placed his services at the disposal of the government, and had subsequently taken charge of the ship, although this was not devolved upon him as one of the duties of his position—on the contrary it might have been supposed that Dr. Slayter's duties as Health Officer precluded his remaining in quarantine. But with that devotion to his professional duty for which he had been so noted he determined to remain, and had addressed a letter to him (Provincial Secretary,) requesting that Dr. Wickwire be appointed Assistant Health Officer in order that the duties of the port might be efficiently performed. He would here explain that this suggestion did not arise from the intimation of any other party, and that it was necessary that some medical gentlemen not in quarantine should receive the appointment. Having made this recommendation Dr. Slayter took charge of the quarantine station, where his duties were of the most onerous description for upon him and those gentlemen who subsequently tendered their services, devolved a task of the most unusual and trying character. It would be impossible for language to do justice to the alacrity and energy with which these gentlemen had discharged these duties, and the result had been that Dr. Slayter had fallen a victim to the disease which he had heroically undertaken to encounter. He did not mean to say that this tribute to the memory of the deceased Health Officer was due on account of the unusual nature of this devotion, for the medical man who under such circumstances would hesitate to do what was required of him would be looked upon as the soldier who shrunk from going into battle. In proceeding

to refer to the character which Dr. Slayter bore as a gentleman and as a member of the profession Hon. Prov. Sec became so much affected that he was unable to proceed.

Hon. ATTY GEN. said the feelings of his colleague could be easily accounted for when all the circumstances connected with the melancholy occurrence were recollected. Dr. Slayter had not only placed his life in jeopardy but had incurred the risk of leaving behind him a family bereaved of their head, and deprived of the means of support which the parent had furnished. Universal regret was the only sentiment which pervaded the public mind, and the tribute proposed in the resolution which Hon. Prov. Sec had risen to move was one which would be regarded as just and meritorious by all classes. Hon. Atty Gen. then moved that the sum of £500 be placed at the disposal of the family of the late Dr. Slayter.

Mr. S CAMPBELL said he felt a melancholy satisfaction in seconding the resolution. He was well aware that the honor of the profession to which the deceased Health Officer belonged required that they should on all occasions, and at any hazards, be ready to do what in them lay for the relief of suffering humanity. One could easily appreciate the courage which nerved the soldier to go to the battle field to meet the enemies of his country; but it required a more noble courage to enable a man surrounded by an amiable family to leave the comfort and security of his home and to place himself in extreme danger. The House could do nothing to serve him who was no more, but it was the duty of the legislature to shew that all who were called upon in the public service, if they should fall victims to their patriotism and devotion, could rely on its determination to succor those who by such a calamity were deprived of a husband and a father. He thanked the government for moving the resolution, and expressed his warm concurrence in the views previously expressed.

The resolution passed unanimously.

BILLS.

Mr. MILLER introduced a bill to incorporate the Richmond Coal Mining Company.

Mr. ROBICHEAU introduced a bill to provide a cemetery for Trinity Church, Digby.

The House went into committee on bills and took up the bill relative to proceedings in Equity, of which several clauses passed; a discussion arising upon the clause which provided for a separation of the legal and equitable causes of action. The clause was allowed to remain in committee and the remainder of the bill passed.

Hon. Mr. SHANNON, from the committee on City Bills, reported favorably on the bill relative to Volunteers and Firemen, and introduced a bill relative to city assessment.

The house adjourned.

TUESDAY, April 24.

The House met at 3 o'clock.

Hon. Mr. McFarlane introduced a bill for repairing the River Phillip Bridge, Cumberland

OIL CONTRACT WITH BOARD OF WORKS.

Mr. LOCKE said that some time ago he had looked for certain papers relative to an oil contract between Mr. Pugh and the Government. He had since then learned that there was a suit of law between Mr. Pugh and the proprietors of a newspaper on this very subject. Under the circumstances he would forego any debate, as it might prejudice the parties in the suit. He would, however, ask leave to introduce a bill preventing certain persons from contracting with public departments.

Mr. MILLER said that the very course now attempted to be pursued by the hon. member would materially affect the case of one of the parties in the suit in question. If such a bill were introduced it would be tantamount to admitting that the insinuations made against Mr. Pugh were correct. If the subject was to be discussed, let the hon. member bring it up in the proper manner, and not attempt to assist his friends in this covert way.

Mr. LOCKE said that his object was to guard the public interests; the bill had no reference to the case referred to.

Mr. ARCHIBALD asked if the hon. member (Mr. M.) was prepared to say that he would oppose a bill which would prevent a member of the Board of Works from contracting with that Board. Such a bill was of a public nature; it contained no reflection upon any person.

Hon. PRO. SEC. said that he would resist the introduction of the bill unless the hon. member for Shelburne would show cause why it was brought there. The House was aware that the Board of Works was constituted by a chairman, who was paid, and two gentlemen who gave their services gratuitously. Under the late government, Mr. Gibson, a highly respectable merchant of Halifax, filled the office now held by Mr. Pugh, and was a contractor with the board all the time. Mr. Pugh had done nothing more than had been the practice from the time of Sir Samuel Cunard—than had been done by Mr. Gibson and other members of the Board from time in memorial. Yet a contemptible press supporting the Opposition brought violent charges against Mr. Pugh, and the whole Board as well. If these charges had been correct, then Mr. Frederick Brown, the chairman, was unfit to hold his position for a single hour. It was stated by the Press that the proceeding was unusual, which, as he had shown, was a falsehood. Would any one say that a merchant of the city who gave his services gratuitously, was to be debarred from competing with other members of the mercantile community? The tenders were opened in the presence of the whole Board, and therefore, whatever was done was with the knowledge of all the parties. The tenders in question were sent in in the usual form; no member of the Board undertook to decide upon them, but they were sent to a chemist of standing—no political supporter of the present government; and it was upon his decision that the contract was given to Mr. Pugh. Then came the accusation by the contemptible journal referred to, that Mr.

Pugh was not furnishing the description of oil he had contracted for; and the moment that charge came to the knowledge of the government they called upon the Chairman of the Board to send the same professional gentleman into the warehouse and test the whole of these oils. The hon. member for Shelburne had now the evidence in his possession that the investigation proved that there was not a drop of oil below the standard contracted for, but that it was above it if anything. The hon. gentleman, with these facts within his knowledge, dared not attack the government openly, but brought forward this bill with the insidious object of assisting his friends in another way. If it were passed, then Mr. Brown and Mr. Fairbanks, as well as Mr. Pugh, would be branded as having acted in a most corrupt manner.

Mr. LOCKE said that he had refrained from motives of delicacy from going into the question, and no remarks of the Provincial Secretary would induce him to recede from this determination. That hon. gentleman was to blame for not having put his hand upon the transaction at the very inception. He (Mr. L.) introduced the bill for the sole purpose of advancing the public interests. Everybody interested in navigation must see the necessity of having the business of the Board of Works transacted with economy. If its members were to be allowed to contract, great public injury might arise, for such a person, by virtue of his position, had large powers.

Hon. ATTY. GEN. said that he presumed the hon. member for Shelburne was aware that there was a case in court when he asked for the papers some time ago. No doubt he had been stimulated by persons outside—probably those particularly interested, to ask for these documents. Finding that they contained no ground for a charge against the government, he now declared he refrained from touching the subject through motives of delicacy. If he entertained such feelings, why did he introduce a bill which went to affect the very suit in question? The fact that the Board of Works was the first Department named in the bill showed the animus which originated it. The hon. gentleman must surely have known that Mr. Pugh had only followed the practice which was pursued under the late government when Mr. Gibson was contractor for many years. But circumstances had changed, and what was right some time ago, was wrong now.

Mr. ARCHIBALD contended that both the Provincial Secretary and Attorney General were entirely wrong in their arguments. He was not likely to be desirous of furthering the objects of the newspaper in question, but he must say that he believed that the bill was necessary for the protection of the public interests. The fact was established that members of the Board of Works were in the habit of contracting with that Board; and the question then arose, was that right? No one could undertake to say that the principle was sound. It made no difference what might have been the practice in the past; it was for the house to decide whether

it was proper now to continue it. If the bill passed, it could not affect the position of any party in the suit in the least degree; the court could not even see it.

Mr. STEWART CAMPBELL entertained the same view as to the impropriety of the practice, and urged the impossibility of the passage of a bill of a general character affecting the case in question.

Mr. MILLER said that it was quite clear that the bill was brought in connection with the suit before the court. The hon. member for Shelburne had asked for some papers from the Government, and when he received them and found that they made out no case, he resorted to the present subterfuge of assisting his friends of the Citizen, against whom Mr. Pugh had entered an action of libel for the base, unjustifiable charge that sheet made against him. Pass the bill, and Mr Pugh and the other members of the Board would be declared guilty of a misdemeanor. Yet it was pretended that it would not affect the case in court. The excuse was too flimsy to be entertained by the house for a single instant.

Mr. LOCKE said that he had no reference to Mr Pugh; all he wished was to protect the public interests in the future, and prevent the continuance of a practice which no one could contend was justifiable.

Dr. BROWN said he was in favour of the principle of the bill, for it was right to remove public officers as far as possible, from even the suspicion of corrupt practices; but he did not think the present was the proper time for moving in the matter. In the first place its introduction had been attended with so much feeling and re-primand that a calm and judicious decision was not likely to be arrived at. And secondly it might possibly influence a case of law now pending. He did not see that the public interests would suffer any detriment by postponing the bill until another Session. The Chairman of the Board of Works was his brother, and he believed was honest. If he had been guilty of acting in any improper manner, he (Dr B) would be the last person to sustain him. But he would be glad if instead of bringing vague charges, and rambling insinuations, the movers in this matter would resort to a careful and rigid examination of facts.

After some further remarks to the same purport, the house divided on the motion for the introduction of the bill. The bill was rejected by the following vote:—

For—Kilam, Falconer, Ross, McLellan, Archibald, Locke, Robertson, Hebb, Coffin, Annaud, Ray.

Against—Pryor, Shannon, Donkin, Hill, Bill, McDonnell, C. J. Campbell, Attorney General, Lawrence, McKay, Heffernan, Churchill, John Campbell, Donald Fraser Allison, Kaulback, James Fraser, Jost, Gourinot, Provincial Secretary, Miller, McKinnon, Cowie, Smyth, Financial Secretary.

MISCELLANEOUS.

Hon. P. of Sec. laid on the table correspond-

dence asked for by the hon. member for Victoria relative to the Cape North Bridge.

Mr. ARCHIBALD, from the Committee on Law Amendments, reported adversely on the bill to extend the jurisdiction of Magistrates relative to cases of petty trespass. Agreed to.

Hon Mr. SHANNON, from Committee on City Bills, reported up a bill relative to a Slaughter House in the city.

Mr. Hill presented a petition, and a bill, in reference to the Temperance Hall Company of Windsor.

Dr. BROWN introduced a bill to amend the act "for the better encouragement of Education." It refers to certain districts of North King's.

Hon. ATTY. GEN. laid on the table estimate of Militia expenditure for '65 and '66. Also a petition from Col. Blanchard, of Truro, in reference to the drill building. Petition from Col. Belcher, in respect to Dartmouth Common; application from Adjutant General, on the subject of remuneration to Inspecting Field Officers for extra duties; letter from Col. Hamilton touching a Parade Ground; application from the Instructor of Militia at Lunenburg for authority to drill the Academy boys; application from Col. Fraser in respect to a parade ground at Tangier.

Mr. ALLISON referred to the want of a suitable parade ground at Liverpool.

On motion of the Provincial Secretary, the bill respecting the Halifax Street Railway was read a second time.

THE EXTENSION OF MINING LEASES.

Hon. Mr. MCFARLANE moved the second reading of the bill, to extend the Mining Leases; and on this motion being agreed to, the House went into Committee. The hon. gentlemen then briefly explained the reasons that had induced the Committee to advise the extension of the leases for a further period of 40 years, from 1884. Many of the new mines were doing a good business, but the large majority were trammelled for want of capital. Memorials had been presented to the House, stating that large English capitalists had refused to invest their money in mining enterprises in this country, when they learned the short tenure of the leases. The Committee then had come, after mature deliberation, to the conclusion that it was wise policy to extend the leases, and also to leave the royalty as it is now, namely ten cents a ton. It was not deemed judicious to impose a higher burthen upon an article which was so valuable a source of enterprise and domestic comfort.—Very large and valuable areas, it would be remembered, had been reserved to the Mining Association by the arrangement made with them some years ago. Some of those had been worked, but others still remained undeveloped. The Committee thought it wise that the same policy should be extended to the Association as is granted to the other Companies, and that they should receive leases of those areas that they actually were working, at the time the present lease expires. At Spring Hill there was now a very valuable tract of coal field lying undeveloped. Parties who had contracted for the building of the

railway to the borders of New Brunswick had been chiefly induced to go into that operation with the view of developing this coal tract.—If the leases were not extended, the resources of these gentlemen would have been crippled; in fact they would not have been induced to enter into the construction of the railway, unless they had thought that the Legislature would grant them the additional privileges that the bill would give them. He had no doubt whatever that the House would see the wisdom of adopting a policy which would so largely promote the introduction of capital into this country.

Mr. ARCHIBALD said that he would like to see all the gentlemen personally interested in coal mines leave the House and allow the remainder to settle the present question. It was in the interest of the whole Province that a question of such great magnitude should be discussed and decided in a manner that would promote the public welfare. Of the thirty or forty companies to which leases had been granted, 23 were shipping coal at this moment. Five of these were exporting an average of 45,000 tons a year, or more than half the average of the Mining Association. There were 17 mines going on and doing a business which was increasing very rapidly. It was a matter of notoriety that members of these companies were annually dividing large sums derived as profit from the mining operations. If the Reciprocity Treaty had not been abrogated—if our coal was not to be henceforth subject to a duty in the American market, there was no branch of trade that could be carried on with such prospects of success as the coal business. The repeal of the treaty naturally produced a check upon the mining operations, but was that any reason why the House should tie up the hands of posterity to meet a present emergency. He had no fear that the Reciprocity Treaty would long continue repealed, and was opposed to any legislation that would be of a permanent character in connection with the royalty. There was no tax that you could impose that was more easily borne than that now imposed upon coal, and it was unwise to impose any restrictions upon the Legislature twenty years hence. If we tied up our hands now, the Legislature could in 1886 impose an export duty if they wished it. The House should remember that the province was on the eve of an important change in its political condition, and it was therefore unwise to restrict the Legislature twenty years hence from taking that course it might think proper in respect to the revenue that ought to be derived from our mineral wealth on which the local institutions would so largely depend. He was quite prepared to encourage the introduction of capital by extending the leases, but not to go so far as to touch the question of the royalty. What he would propose would be to extend the leases for 30 years from 1886, on the payment of a fine equivalent to one year's net profit of the mine estimated on an average of the three years immediately preceding the expiration of the present leases, (that was a British principle familiar to all lawyers.) The right to renew should only apply to cases where all the regulations of the law, and the royalty had been paid. After the year 1886 the legislature might revise and alter the royalties, but no alterations should be

made until then, nor should any export duty be levied in the meantime.

HON. PROVINCIAL SECRETARY said that he found there was little difference between the views of the hon. gentleman and the Committee. He was ready to support the extension of the leases and only differed as to the question of royalty. No one, indeed, would fail to see the urgency, under existing circumstances of doing all in the power of the Legislature to promote the introduction of British capital into the country. The facts before the House proved that whilst the leases were so short in their tenure British capitalists would not invest any capital in mining enterprises in this Province. It was because he felt the importance of the revenue derived from the mines, in the event of important changes that were in progress, that he wished to encourage the development of this valuable source of wealth. We had a right to make such arrangements as would increase our resources.—Unless we gave that guarantee to capitalists that this Bill gave in extending the leases and fixing the terms, no benefit was conferred, no capitalist could feel secure when the Legislature might step in and say they would impose a royalty of five shillings instead of sixpence a ton. As respects the principle of a fine, he saw no objection to that; for British capitalists were quite conversant with it.

HON. ATTORNEY GENERAL said, that if he were not persuaded that it was for the public interests that the leases should be extended he would not be found supporting the bill before the House. Facts within his own knowledge—the memorials before the House showed quite conclusively that British capital would not be stimulated to come into the country unless some such measure would be passed by the Legislature. No Company would be willing to invest £200,000 in a mining enterprise, the lease of which only lasted for 20 years hence. They might only be on the point of receiving profit out of their operations when the leases terminated in 1886; it came out of the arrangement with the Mining Association. If it had not been for that fact, the leases would have been made of far larger duration. It was for us now to consider whether it was for the interests of the country to pass the measure—whether it would stimulate capital and enterprise. British capitalists stated they would not invest their money under existing circumstances. One of the largest companies now working in this Province had approached the House and stated that their operations were crippled by the shortness of the leases. The very uncertainty that now existed naturally retarded the introduction of capital, and the display of enterprise. It was evident however, that no difference of opinion existed as to the necessity of extending the leases; and it was therefore superfluous to discuss that branch of the subject. The next question was, upon what terms the leases should be extended. It was not wise to impose a heavy royalty upon coal. It was indeed questionable policy to tax a product which was necessary for fuel, and for the promotion of manufactures; but as the necessities of the country demanded that some royalty should be exacted, it should be made as light as possible. Under these circumstances he

thought it wise to extend the leases and fix the terms the same as they are now, that is, 6d a ton. It was necessary to give capitalists all the security that the House could afford, consistently with the public interests. Every person in Nova Scotia was quite prepared to run the risk of having the leases renewed in 1886, but parties abroad required a guarantee. Unless the terms were agreed upon before hand how was an English Company to feel that they were secure from any arbitrary conduct on the part of some future Legislature. If the amount of royalty was not defined, the question would be left in an exceedingly unsatisfactory state. He had no objection to the fine, provided that the royalty was settled.—He trusted the House would look at the question with a single eye to the promotion of the public interests.

The debate was adjourned and the committee rose and reported progress.

The House adjourned.

WEDNESDAY, April 25

The house met at 3 o'clock.

The house went into committee and passed a number of bills:—The bill to alter and amend proceedings in Equity;—to incorporate the St. Lawrence Coal Company;—to amend the Grand Jury Act of the County of Halifax; to authorise the sale of School-houses in certain cases.

THE ASSESSMENT BILL.

The bill to alter and amend chap. 45—"County Assessment" was taken up and discussed.

Hon ATTY. GENERAL explained the innumerable difficulties that would arise in the carrying out of a law so general in its scope. He was afraid if it was attempted to carry it out in its present shape, that such a feeling would be created as to prevent it producing any useful effect.—He would prefer that the bill should be confined to money for taxation. There was no machinery to carry it out, and much injustice would arise.

Mr. S. CAMPBELL approved of the proposition of the Attorney General.

Mr ARCHIBALD was persuaded that the public interests required such a bill. The rich do not now contribute their fair proportion of taxation, in comparison with the poor. The poor fishermen and labourers were exempt under the bill.

Hon ATTY. GENERAL did not believe the bill provided the machinery sufficient to carry out a bill of so extended a nature. Mistakes would certainly occur. Certain classes of persons, merchants among others, would be taxed two or three times.

Mr McLELAN did not think that the bill would turn out as useful and just as the hon. introducer appeared to imagine it would.

Mr PARKER could not understand why so much opposition was raised against the bill.

Hon PROV. SECRETARY thought the bill a good one; it was one rendered necessary by the act now on the statute book providing for assessment as a means of support for schools. A large portion of the objection that was excited against the school bill arose out of the fact that the taxation bore unequally. The present bill he believ-

ed, went to remedy that difficulty to a large extent.

Mr BROWN was in favor of the bill, though he was afraid difficulty would be found in ascertaining the amount of a man's income.

Hon Mr. McFARLANE thought that the bill was too sweeping in its character, and agreed with the Attorney General.

Hon ATTY. GENERAL said that any number of complaints would arise under the bill; the sessions would not be able to decide the disputes, and much litigation would arise. An income tax had never been resorted to, except in cases of extremity. Such a bill, so sweeping in its nature, had never been asked for by the country.—When it was first introduced he thought it was only intended to apply it to money property.

Hon FIN. SECRETARY was in favor of the principle of the measure, but he was afraid it would be impossible to carry it out in its present shape. A large amount of injustice might be inflicted upon certain classes of individuals throughout the country.

Mr BLANCHARD was in favor of the bill. An income tax was universally recognised as the most equitable mode of taxation. The present measure went to equalise taxation, and relieve the industrial classes of the country.

Hon ATTY. GENERAL said that the bill would create confusion throughout the country, if it was left in its present shape. When the system had been tried in the city of Halifax it had been found to work most unfairly, and had to be abandoned. He moved that all the words that apply to "income derived by any person from any trade, occupation, or profession," be struck out.

Mr. TOBIN had considered the subject, and came to the conclusion that the bill was a good one, if it could be carried out.

Mr BLANCHARD was only disposed to go so far as to tax money.

Mr C. J. CAMPBELL looked with suspicion on the bill, since it was moved by the hon member for Colchester; he was afraid of experiments.

Mr BILL said that he was in favor of the changes proposed. He did not think that much would be gained by taxing the professions but the principle of the measure was good.

Hon. ATTY. GENERAL expressed his belief that the bill would entail a needless expense on the counties. The professional man, he considered, was already taxed in the house and furniture which he used, and the burthen would, after all, fall upon the miner and the fisherman, while the former would in a great measure escape.

Mr. S. CAMPBELL replied briefly to the previous observations of Mr Archibald.—he considered himself as good as that gentleman in every respect. He opposed the bill as being likely to impose additional taxation upon the country, and as subjecting the business of individuals to an unpleasant enquiry.

Hon ATTY GENERAL moved that the clause be struck out.

For the motion 15. Against it 18.

A slight discussion arising upon the next clause, the consideration of the bill was postponed, and the Committee adjourned.

Hon Mr McFarlane introduced a bill to incorporate the Nova Scotia Salt Works and Exploration Company.

Mr ARCHIBALD introduced a bill to amend chap. 65 of the Revised Statutes, relative to Highway Labor.

Mr C. J. Campbell introduced a bill to provide for the improvement of certain roads and bridges in the County of Victoria.

The house adjourned.

THURSDAY, April 26.

The house met at 3 o'clock.

MISCELLANEOUS.

Hon Mr McKinnon presented a report from the Committee on Indian Affairs.

Mr. Miller said that in the absence of his colleague he did not consider it fair to appropriate the road grant for the County of Richmond. He therefore moved that such grant be at the disposal of the Government. Passed.

PILOTAGE BILL.

Mr Donald Fraser moved the second reading of the Pilotage Bill

Mr Miller moved that the bill be deferred for three months.

Mr D. Fraser said that in this matter the pilots of Pictou merely asked to be placed in the same position as the pilots of Halifax. The bill was necessary to enable them to maintain their efficiency and was recommended by a large number of shipowners and merchants

Mr Jas. Fraser said that if the House wished to leave the port without pilots they could reject the bill. Unless these persons were enabled to earn a livelihood by their calling they must abandon their business and a great loss of property and life would be the result.

Mr. Miller's amendment passed 19 to 14. Mr. D. Fraser gave notice of motion to rescind.

POORS' ASYLUM.

Mr. Blanchard introduced a bill, as a partial report from the committee on Humane institutions, relative to the Poors' Asylum and City Hospital. He said that in 1864 an act was passed to vest the control of the Asylum in a joint Board of Commissioners, and to enable them to erect a new Asylum in connection with the City Hospital. Difficulty had subsequently arisen in the settlement of the question, and the committee had decided on introducing this bill which would give authority to the government to appoint six persons, the City Council to appoint six others, to be Commissioners of the City Hospital and Poors' Asylum. The bill then vested in the Board the property now used as an Asylum and the City Hospital, together with ten or twelve acres of land surrounding it, giving them power to sell the old property and to apply the proceeds of the sale to the erection of a new Asylum in connection with the Hospital. It then provided that the contribution to these institutions from the Province and City should be considered equal.

QUARANTINE STATION.

Hon. PROV. SEC. introduced a bill to provide for the establishment of a quarantine Station at Halifax. He said it was proposed to purchase a

suitable locality for the station, the City to bear one third of the expense of maintenance and a tax of one cent per ton to be imposed on all vessels over 100 tons to provide a fund for maintaining this establishment, and for the treatment of sick seaman.

Mr. ARCHIBALD remarked that Halifax was more exposed than any other city to visitations from vessels bound to other ports with diseases on board.

Mr. TOBIN agreed as to the importance of the proposed step, but he doubted the expediency of imposing so heavy a share of the burthen on the city. The matter was one which affected the entire Province, and the tax would be found very onerous to the citizens.

Mr. BOURINOT regretted that so large a portion of the expense was arranged to be borne by the Province. He thought that the shipping interest should contribute largely. It was a lasting stigma upon Halifax that no efficient Hospital had been established. He referred to the necessity of some such provision in other localities and mentioned an instance which had occurred when the New Mines in Cape Breton County were visited by the small-pox.

BILLS.

The house went into Committee on bills and passed the bills relating to the International Coal and Mining Company, the Trustees of Zion Church Halifax, the North Sydney Marine Railway Company, the Myra Bay Coal Company, the City of Halifax, and the Evangelical Lutheran Church of Lunenburg.

EXTENSION OF MINING LEASES.

The bill relative to Mining leases was next taken up.

Mr. BOURINOT said he could not allow a question so intimately affecting the county he represented to pass without some comments. The report of the committee of which he was a member recommended that the tenure of the leases be extended forty years beyond 1886, and that the same amount of royalty be exacted. On the other hand, the honorable member for Colchester (Mr. Archibald) was in favour of the extension of the leases for thirty years, on the payment of a fine equivalent to one year's net profit of the mine, but he would not touch the question of royalty. No doubt appeared to exist as to the propriety of extending the leases; every one saw that such a measure was necessary in order to induce the introduction of capital for the development of our resources. Capitalists, as it had been shown to the House, were unwilling to invest their money in mining enterprises in this country, whilst the leases only lasted for twenty years. In England, every one was aware, the tenure of the leases was far longer. As some misapprehension appeared to exist in respect to the new mines in the county of Cape Breton, he felt a few remarks on that subject were demanded from him, Cape Breton exported two-thirds of the whole amount of coal shipped last year—that is, 400,000 out of 600,000 tons that were exported. They had 14 mines in the county in question, the whole of them were not yet entirely in full operation.

There was the Block House, which exported 101,960. Those who have visited this mine must have been struck with the large amount of enterprize exhibited at that locality; you would see fine ranges of buildings, a noble wharf, a fine residence where the Superintendent lived, and, in fact, all the evidences of energy in the working of the mines. Again, there was the "Gowrie" adjoining the former, the property of a gentleman in the other end of the building; that mine was also worked with energy and economy. Again there was the little Glace Bay Mine, now chiefly in the hands of Nova Scotians, though originally established by American capital. There a harbor had been made by the expenditure of a vast amount of money, and vessels of all sizes had most admirable facilities for shipping coal. That mine exported last year the large amount of 56,000 tons of coal. There was also the International Coal Company. Within his own knowledge this Company, although hitherto they had exported little coal, were taking measures for the purpose of constructing a railway and obtaining those facilities of shipment that they now wanted.

Again there was the New Caledonia, belonging chiefly to Boston capitalists, carried on by Mr. Poole, a gentleman of scientific attainments, well known to many here, and admirably were his mining abilities evinced in the works of that mine. They were taking steps to ship any quantity of coal; they had signed a contract for making a harbor in the vicinity, for which they will have to pay \$100,000 in gold. He regretted that the Inspector of Mines had arrived so late as to prevent him inspecting the mines thoroughly, and giving the House a full report on the subject. Indeed, he would have wished some information from that officer had been given only in part. The usefulness of such an officer could not be over-estimated; for it was his duty to see that the mines were worked on safe principles. In addition to the mines he had enumerated there were others owned by enterprising and responsible parties, who were taking measures for the shipment of coal. Everybody knew that it required time, and the expenditure of a large sum of money to get mines into operation. It was also contemplated in connection with the mines he had mentioned, to extend a railway—and that was only a question of time—to Louisbourg, the ancient Dunkirk of America. Those who were acquainted with the history of this country were aware of the past importance of that place, the rendezvous of the ships

that traded with the possessions of France on this continent. It was one of the finest ports in America, being accessible at all seasons. There, in olden times, gathered ships from Louisiana, the West Indies, and Canada; but now it was only a desert. The time, however, was not far distant when this port would regain its former position, and become one of the greatest commercial cities of British North America. Nor could he refrain from referring to the remarks of that eminent Admiral, the Earl of Dundonald, respecting the port of Sydney. He had been in the habit of visiting that port, time and again, and he had told him (Mr. B.): "I have visited all the harbors in North America, but a nobler one I never saw; it is large enough to hold all the fleets in the world; and I would like to spend a month there every summer." He was proud to be able to give the eulogy of a man who had won such fame under the name of Cochrane.

There was another matter in connection with this subject that he thought it proper to mention. Whilst in Canada, last autumn, he had been introduced to the President of the Gas Company at Montreal. In the presence of a large number of merchants and other gentlemen, he had asked that gentleman: What will you take from us in the event of Confederation? You will not take our coal, though they take it in New York. The gentleman in question replied, "you have no gas coal it produces no coke." Fortunately he (Mr. B.) had in his possession at the time, a pamphlet containing an analysis of the coal of Cape Breton, which he was able to hand to the President of the Montreal Gas Company. The same gentleman had also expressed surprise when he was informed that there was coal in Cape Breton. Facts like these showed the amount of ignorance that prevailed abroad respecting the nature of our resources, and he trusted every means would be afforded of circulating information on our capabilities. Many thousands of tons of coal would gradually find their way into Canada, and when the Union would be consummated Cape Breton would soon become, from its geographical position—forming as it were the key of the Gulf of St. Lawrence the great highway to Canada. Her great mineral and other resources must make Cape Breton an important commercial country. It was far better to form part of the great Confederation than remain as she was now, an insignificant appendage of Nova Scotia. In conclusion, he apologized for detaining the house so long, and expressed his hope that the bill reported by the committee would be accepted, for he was persuaded that its effect would be to bring capital into the country, and develop our resources.

Hon. Mr. SHANNON said that the great object of all legislation on the present question

should be to develop our mineral treasures as speedily as possible. No doubt capitalists should have a guarantee that they would have such a lease of their mines as would enable them to reap sufficient profit for their outlay. Owing to the arrangement made with the Mining Association the leases were limited to a short period. Capitalists were unwilling to invest any large sum of money on such terms, and therefore it was now for the house to consider the propriety of extending the leases to such a term as would encourage them to expend their capital in this country. Every year that passed necessarily made the difficulty greater, and it was necessary to deal with the matter without delay. Petitions on the table proved conclusively the opinion that was entertained by minded men in England in reference to the expenditure of their capital in our mines. Under these circumstances the house should not hesitate for an instant to adopt the policy of extending the leases. He did not think the suggestion of a fine was a bad one. As respects the royalty he would only say it might seem assuming too much to legislate for the future. That matter might be left open.

Hon Mr. McFARLANE said that if the house could impose a fine, it could with equal propriety define the terms of the royalty.

Mr. TOBIN considered the subject under consideration as one of no little importance. No restrictions were placed upon a man who received a grant of land from the Government, and he could not see the wisdom of a policy that imposed them upon a man who invested a large amount of capital in a mine, and did so much in that way to develop the resources of the country. He approved of the policy of extending the leases because it would stimulate the introduction of capital. No capitalists would develop our mines until they received such encouragement as the bill now offered to them. The first thing that a capitalist would do who thought of expending his money in this country would be to look at the legislation on the subject. If he found that the mining leases had only twenty years to run, he would hesitate before investing any of his money in this country.

Mr. BLANCHARD said that the question really before the house was whether it was proper to control the legislation of the Legislature 20 years hence. English capitalists merely stated that the tenure of the leases was too short, nothing more. In view of the probability of a change in the political condition of the country, it was advisable to let the term on which the leases should be extended an open question.

Hon. ATTY. GEN. again argued in favour of arranging the details of the measure. It was the duty of the Legislature to place capitalists beyond the least danger of being unfairly dealt with hereafter. Everybody knew that coal operations required the expenditure of a large amount of capital, and it was impossible for capitalists to invest their money profitably unless they had sufficient time. It would be very un-

wise to leave the present question in abeyance for twenty years, the province would lose a large amount of capital, and necessarily suffer a great pecuniary loss. No one, however, appeared to question the wisdom of extending the leases. Why then, take exception to the mere matter of detail, namely, the terms on which they should be extended? Capitalists required such guarantees as the bill gave them, and it was unwise to alter it as some gentlemen proposed. It was because the Government saw the importance of the revenue derived from the mines that they wished to fix the amount of royalty. It was, indeed, very questionable policy to impose any duty upon a product like coal, which was so intimately connected with the comfort and progress of the country. The public necessity was the only argument in favour of imposing any royalty. He knew of no countries where the State placed such restriction upon coal. As it was, however, the policy of this Province to tax this mineral, it was advisable to place it at such an amount that it would not cramp enterprise whilst it benefited the public revenues.

Mr. BILL doubted the wisdom of the policy adopted in the bill under consideration as it went too far.

After more desultory discussion to the same purport the Committee rose and reported progress.

The House adjourned.

FRIDAY, April 27, 1866.

HALIFAX GRAMMAR SCHOOL.

Hon. PROV. SEC. moved that the amendment proposed by the Legislative Council in the bill in reference to Education, by which the clause relating to the Halifax Grammar School was struck out, be not agreed to.

Mr. BLANCHARD said that he would not oppose the motion if it were not that before another year matters would be altered by the sale and purchase of property. He had previously declined to divide the House because the representatives of Halifax had supported the existing arrangements of the school, but he would adopt a different course now as members of the Upper House representing Halifax had expressed different views.

Hon. PROV. SEC.'s motion passed 30 to 5.

MISCELLANEOUS.

Hon. FIN. SEC. introduced a bill to provide for certain expenses connected with the Civil Government.

Mr. BLANCHARD submitted a report from the Committee on Humane Institutions. The Report was received and adopted.

Hon. Mr. SHANNON said that the Committee on School Lands, after carefully examining the subject had decided to report favourably of the bills to authorize the sale of school lands at Horton, Onslow and Truro, and to recommend that the bill relative to Digby school lands be deferred for three months.

Mr. WHITMAN submitted a report from the

Crown Land Committee. The report was received and adopted.

EXTENSION OF MINING LEASES.

The House went into Committees on bills and took up the bill to provide for the extension of the Mining leases.

Mr. BLANCHARD moved that a clause be added to the first section, providing that the Legislature reserve the right to alter the royalty on coal in 1886.

Mr. LOCKE spoke in favour of the clause proposed. He thought it would be well for the Legislature to maintain the control of the royalty.

Hon. ATTY. GEN. said that the Legislature could in 1886 impose an export duty on coal which would be as beneficial as an increase of royalty. The Mining Companies would fully understand this in making their arrangements without the insertion of the clause.

Mr. McLELAN thought the Legislature would not be justified in running 30 years ahead. No one could tell how the value of money would be effected before 1886 or what change might occur.

Mr. TOBIN referred to a letter which he had received from a gentleman connected with the Myra Bay Coal Company and corrected a mistake which he had made on a previous occasion in stating the quantity of coal raised by that company.

Mr. MILLER feared that the amendment might unnecessarily clog the bill. The object in view could be as well attained by the imposition of an export duty.

Mr. COFFIN spoke in favour of the amendment as putting all the circumstances fairly before the companies.

Hon. FIN. SEC'Y. considered the clause unnecessary as the Legislature without it would have the power to review the matter in 1886.

Mr. KILLAM said he could not see any reason for the proposed extension. There was no lack of companies and if there were more the competition would do more harm than good. To change the policy of the country to suit the views of a few companies he considered unwise. The country was about to change most of its institutions, and it was ungraceful in those who would soon be leaving the smaller sphere to pass an act controlling the Legislature for twenty years thereafter. In view of that change the house should look around and see from what source the revenues of this country were to be derived. He thought that plenty of capital could be found without resorting to the mode of inducing investment.

Hon. ATTY. GENL. said that as our general revenues were to be taken away there was all the greater necessity for developing those resources which were left. Some of the companies which had been chartered were unable to obtain a dollar.

Mr. ALLISON—That in view of the change to be made by Confederation he thought it would be unwise to deal with the matter at present. He moved that in the opinion of the House it would be unwise to disturb existing arrangements.

Hon. PRO. SEC. said that nearly all admitted that the time for extending the lease had come.

He referred to the hostile evinced by the opposition when the measure to reduce the revenue on coal was brought down by the government, and said that the only act of Mr. Kill m's life to which that gentleman could point as favourable to the interests of the country was the vote he gave for that measure, being associated, as he then was, with the party whom he now opposed. That reduction, so far from having crippled the coal revenue, had quadrupled it. He was satisfied that the passage of the bill would make our revenue five times its present amount.

Mr. BLANCHARD agreed that the extension of the leases would give a valuable impulse to mining operations, but he did not see why the terms on which the extension was proposed should not appear on the face of the bill.

Mr. KILLAM said that in 1858 he had been in favour of getting whatever could be got from the company having the sole control but the proposition now was to lengthen the period in which the Mining Association would enjoy their leases, and to prevent the legislature hereafter from dealing with the question. The action of some members reminded him of reading a statement of the difficulties which the Atlantic Cable Company were said to have experienced in getting their act through the Colonial legislatures;—it was stated that the passage of their bills cost them \$50,000. Some influences seemed to be at work on this occasion.

Mr. MCKAY spoke briefly in support of the amendment.

Hon. ATTY. GENL. contended that the bill did not give away the power of future legislation because an export duty could still be imposed.

Mr. C. J. CAMPBELL said he contended in 1858 that the royalty should be taken off altogether, and the result shewed that he was right. At present foreign coal came in free of duty while our own was taxed. He did not agree that the coal mining was the most legitimate source from which to raise a revenue. Such a source of industry should be as free from taxation as our fisheries. The more fully the mines were developed the better it would be for every man in the country.

Mr. KILLAM said that the extension of the leases was contrary to all principles of legislation. He was as anxious as any member to have our mines developed, and had on his own risk shipped 20,000 tons of coal last season, but he did not wish to deprive the legislature of its control.

Mr. PARKER said that if such an extension had been contemplated in 1858 better terms could have been obtained from the Association. He was opposed to limiting the power of the legislature for the future.

Mr. LONGLEY said he did not consider the policy contained in the bill a sound and cautious one. The export of coal had very largely increased since 1858, and it was possible that what was now being raised was as much as could find a ready market. He was adverse to such a long period of prospective legislation. He was in favour of Mr. Allison's resolution, and was opposed to any fixing of the royalty. It was quite as reasonable for the companies to rely on the generosity of the legislature as to call upon the legislature to

run the risk of legislating 40 years ahead. He did not apprehend any difficulty in obtaining capital from one source or another; and he thought that the imposition of an export duty would be regarded as a breach of faith.

Mr. CHURCHILL thought it unwise to extend the leases as proposed. The bill would give large privileges to the General Mining Association without doing justice to the country.

Hon. PRO. SEC. expressed surprise that gentlemen from the western counties should oppose a measure so necessary to enable the treasury to meet demands which would be made upon it in the extension of the public works.

Mr. TOBIN referred to the memorials which had been presented in connection with this subject. He said that there were fourteen companies not raising a ship load of coal, and they only required the assurances which the bill would give them.

Mr. S. CAMPBELL said that in committee he had opposed the extension of the leases. He did not wish to see the agitation in reference to the mining monopolies renewed. He thought that many of the companies referred to had been formed merely for purposes of speculation; but for bona fide companies he believed that there was an abundance of capital in the neighboring country.

Hon. ATTY. GENL. and Mr. BOURINOT defended the companies against the imputation just made, and referred to the difficulties which had to be encountered in mining enterprises.

Mr. ALLISON withdrew his amendment.—Mr. BLANCHARD'S amendment passed 23 to 21.

MISCELLANEOUS.

Mr. BLACKWOOD asked the government to lay on the table correspondence between Capt. Chearnley and Sir R. G. McDonnell concerning charges of unsoldierlike conduct against the former.

Mr. ALLISON moved the appointment of a Committee to divide the road grant for Queen's County as the members could not agree upon the division. The motion passed. Committee: Messrs. Bill, Lawrence and Donald Fraser.

Mr. TOBIN presented a petition from the merchants and citizens of Halifax asking that mortgages be exempted from city taxation.

Mr. LONGLEY introduced a bill to lay off land for a public landing at Paradise.

Dr. BROWN asked whether the government were in possession of any correspondence relating to the western extension of the Railway.

Hon. PRO. SEC. replied that the contractors had informed the government that they would be prepared to undertake to work immediately on receiving a certified copy of the act of incorporation.

Mr. MOORE introduced a bill to incorporate Crys'al Fount Lodge of Good Templars.

Mr. S. McDONNELL introduced a bill, as a partial Report from the Fishery Committee, to amend the act relating to River fisheries. The House adjourned.

SATURDAY, 28th April.

BILLS

The house met at 10 o'clock, and resolved itself into Committee on Bills, passing the bill

relative to the sittings of the Supreme Court in Cape Breton, the bill to assess the inhabitants of the town plot of Dartmouth; the bill relative to the establishment of a quarantine station at the port of Halifax, and two bills concerning the city of Halifax.

In the bill relative to the extension of Mining Leases the provision for the exaction of a fine from the Companies was struck out. The bill then passed,—also the bill to provide for the appointment of a Judge of Probate and Registrar of Deeds for the district of Barrington; the bill to amend the law relating to harbours and harbour Masters, and the bill relative to the partition of lands. The Committee adjourned.

Hon. ATTY. GEN. introduced a bill to enable St. Francis Xaviers' College to confer degrees.

MONDAY, April 30.

House met at 3 o'clock, P. M.

A bill to appoint a Registrar of Probate and of Deeds in the District of Barrington, was objected to by Mr. PRYOR and other gentlemen, on the ground that the principle was dangerous. Other districts might come in and demand the same right. On the other hand it was argued that the bill was rendered necessary by the peculiar situation of Barrington. On a division the bill was sustained by 13 or 33.

Mr. S. McDONNELL reported from the Committee on Fisheries.

Hon. PROV. SECRETARY moved the following resolution, which passed unanimously:

"Resolved, That His Excellency be authorized to advance a sum not exceeding, on the whole, \$5,000, to aid in the erection of a Quarantine Hospital at the principal outports of the Province, on being shown that such expenditure will tend to preserve the public health, and prevent the spread of a contagious or infectious disease, and that an equal sum has been provided by the County in which the outport seeking such outlay is situated."

The hon. gentleman then laid on the table copies of despatches relative to the fisheries; also, a copy of an address by members of both branches of the Legislature to the Queen, on the subject of Confederation, with a Minute of the Executive Council in answer thereto.

Hon. ATTORNEY GENERAL introduced the following bills, which were also read a second time by common consent:

To alter and amend the Act for Incorporating the Mutual Bank.

An addition to the act for facilitating the settlement of titles in Cape Breton.

To compel the payment of balances due on applications for Crown Lands.

To provide against the introduction of diseased cattle.

To provide for the seizure of arms and munitions of war.

To amend Chapter 25, Rev. Stat., "Mines and Minerals."

To enforce the taking of the Oath of Allegiance.

Mr. TOBIN—a bill to establish a Merchants' Shipping Office in Halifax.

Hon. Mr. SHANNON—to appoint a Harbor Master in the city. The hon. gentleman sub-

sequently withdrew the bill on being informed by Mr. Tobin that a large number of merchants were opposed to it, and that it would provoke discussion. It was understood that no new bills would be introduced that would cause debate.

Hon Mr SHANNON also introduced a bill concerning the erection of buildings in the city of Halifax; it was rendered necessary for the preservation of the public health.

The House then went into committee and passed a number of bills, viz.:

To amend the act incorporating the Evangelical Lutheran Church at Lunenburg.

To incorporate the Salt Works Company.

To extend the time for prepayment of a loan to Picot.

To alter and amend chap. relating to Mines and Minerals.

To amend chap 94, Deep Sea Fisheries.

To regulate Poors' Asylum in Halifax.

The bill relative to Middle River Congregation was not pressed, at the suggestion of Mr. C. J. Campbell and the Financial Secretary, who thought it advisable to allow such questions to be settled amicably outside of the House.

The committee rose, and the House adjourned.

TUESDAY, May 1.

The House met at 3 o'clock.

Mr MILLER said he wished to avail himself of this opportunity of replying to some of the slanders and misrepresentations which had appeared in reference to himself in a portion of the public press. A fortnight ago, or thereabouts, an exciting debate had taken place in which the hon member for East Halifax had occupied a position in which no member of that House ever stood before, presenting a spectacle which must convince the country that if there was a man whose utterances were entitled to no respect, it was that gentleman. On that occasion Mr Annand had brought two charges against his (Mr M's) veracity, which had been conclusively met and exposed on the instant;—first as to the conversation with hon Geo Brown, in reference to which he (Mr A) had said that the report of the conversation as detailed by him (Mr M) was incorrect;—the second in reference to the Inverness petitions. Yet, on the following day, the hon member had the honour to announce in the *Chronicle* that he had succeeded in bringing home a charge against him. If the individual who inspired that journal made this charge publicly, in his proper person, it would be as harmless as the idle words, because to enable one man to injure another by fixing any charge on him, it was requisite the accusation should proceed from an individual who possessed some character—otherwise the attempt merely exhibited the baseness of the source from which the charge proceeded, and would recoil on him who made it.

At the instance of Mr S. Campbell the galleries were cleared, but subsequently re-opened.

Mr Miller continued:—He did not feel it necessary to make these observations merely because Mr Annand, in the *Chronicle*, had slandered him, but because there were many persons who were not sufficiently intelligent to discriminate between

the statements of that journal, which were merely the effusions of the member for East Halifax, and the public opinion which it pretended, however falsely, to reflect. He asked who was there less able than the member for East Halifax to make improper charges, or who should be more backward in maligning and slandering another? That member's name recently appeared appended to an address to Her Majesty the Queen, the first paragraph of which contained an expression of the loyalty of those who signed it, and yet one had only to turn back his recollection a short time to recall the period when the hon member expressed the wish that the day would come when "the stars and stripes would wave over citadel hill!" Was the man who could utter such a traitorous sentiment as that in a position to make a charge against another?—Within a few weeks the same member had been guilty of a similar crime, and had been heard expressing the wish in the public streets "that 50,000 Fenians would land in Canada." And nevertheless this was the man who applied the term "traitor" to members who were acting in accordance with the declared wishes and policy of the Queen's Government and the best interests of the country. The humiliating apology made by the hon member, suffused with shame as he stood when charged with these expressions, was ample proof of the correctness of the assertions in reference to the position which he occupied. The man who thus stood convicted of treason by his own admission was the man who used the press under his control to disseminate falsehoods, scatter seditious sentiments, broadcast over the country, and create the worst feelings for the worst purposes. Mr Annand had brought forward letters from his friends to exculpate himself from this last charge of treasonable conduct, but it would be recollected that those letters conclusively established his guilt.—The hon member had suppressed them in the publication of his speech, and had declined to lay them on the table. But what more? In his speech on the Resolution for Union that gentleman had asserted that he had been offered "money place and preferment" if he would support Confederation. These words were taken down by a number of gentlemen, and were telegraphed to Mr Brown who pronounced the assertion a "villainous falsehood." At the conclusion of that speech he (Mr M) rose and stated a report of that conversation given to him by Mr Annand at the time, and the reply then made was that he had not related correctly what was reported as having passed, while on the following day the member for East Halifax admitted that his (Mr M's) statement was substantially correct. These facts appeared in the official reports. That hon member had done more—he denied having used the word money in connection with Mr Brown's name. A dozen gentlemen instantly contradicted him from their notes, and the official report shewed that his denial was incorrect. What was the veracity of such a man worth? If he, Mr Miller, had been compelled to admit himself guilty of traitorous

language, and was convicted of untruthful statements on the floors of Parliament, and had to confess that a gentleman whom he had flatly contradicted had substantially told the truth, and at the same time to withdraw a slander against another man there would have been good foundation for impugning his veracity; that was not his case. The member for East Halifax feeling the humiliation of his position saw the necessity of drawing attention from himself to others, and did what no honorable man under the same circumstances would do—he meanly revealed the secrets of confidential intercourse, which was in keeping with his conduct from beginning to end, and had excited the disgust even of his friends. It was such conduct that had induced one member after another in the Legislature, to scout the hon. member's leadership as they were obliged to do out of consideration for their own character and position. Private conversations had thus been revealed by Mr. Annand whenever they suited him, without any justification on his part. No man can, for any time, act politically together without confidential communications which subsequent differences justified neither in revealing. He Mr. M. had been acting with the anti-Confederate party against the Quebec scheme, but only against that scheme, and had then much confidential intercourse with Mr. Annand and others, but the first man had yet to hear any of it disclosed. A different course was now necessary in self-defence. Fortunately he had not placed himself in Mr. Annand's power, and could defy his malice. The hon. gentleman had produced a paper to shew that a statement made by him in reference to the Inverness petitions was incorrect, and had asserted that he, Mr. Miller, had denied sending such petitions into the country. The House knew he had done nothing of the sort, but boldly avowed that up to early in the present Session every exertion he could use, and every means within his power were put forward to defeat Confederation on the Quebec basis. He wished to get that scheme before the people, because he knew it would be defeated. If this paper proved anything it only was that those petitions were sent into Inverness six days after instead of a few days before the meeting of the Legislature, but that paper was written before the Legislature met; when it had been handed to the printer he could not say. Mr. Annand had subsequently to admit the charge in reference to the two petitions, in connection with which the dispute arose, was unfounded, he himself

having sent those petitions to Inverness, and, as a further proof, they were returned to him when signed. Even without this admission, any charge from such a quarter would require some further evidence than the assertions of a man whose statements had been publicly branded as villainous falsehoods. The discrepancy was of little consequence, whatever it was. Mr. Annand had said, in one of his speeches, that if it were not that he, Mr. M., had been so careful of the expenditure of a few shillings, the petition for Inverness would have been sent by him. Did not this shew that the subject was talked over before the franking privilege was possessed by members? But Mr. Annand knowing what he did should be the last to charge penuriousness on him. No member was less open to such a charge. In reference to it, he, Mr. M., would state a few undeniable facts; three years ago when he had gone to run his election, it had been stated that he had received a large sum of money from the Liberal party to secure the County of Richmond. He had to meet this slander everywhere during his canvass, but the truth was that every sixpence of his expenditure on that occasion had been borne by himself, and that contest was fairly gained without the slightest understanding existing anywhere with reference to his subsequent action.

If any one here or elsewhere could contradict him let it be done. He could further say that his opposition to the Quebec scheme had cost more than any five of the richest merchants of Halifax who had the credit of contributing so largely in support of the anti-union cause. He, Mr. M., had gone into the country during the busy seasons for weeks to canvass and hold public meetings at a heavy personal expenditure, every cent of which came out of his own pocket, although there was a fund from which his expenses might be paid but which he always declined to touch. This contrasted strongly with the conduct of a member who would not go on a flying visit to one of the western counties for two or three days without having his expenses paid, but who now made this charge of penuriousness against one who he knew had acted with a disinterestedness ill-becoming his means. In going to Lunenburg he left his business at much loss and incurred much hardship and inconvenience and still contributed to the election fund sufficient to meet his own expenses, refusing to have anything to do with the bag which was carried by the Editor of the *Citizen* who had since given no account of the contents although called

upon so to do. Mr. McDonald put nothing into the fund whatever he may have taken out, yet he was one of the men to impute corruption to others. The member for East Halifax, a few days ago, had taken up much of the time of the House in defining his position, but it could be defined in half a dozen words: his position was that of the fag of another man. It was notorious that Mr. Annand had no idea or will of his own but had drawn all his inspiration during the twenty odd years he had been in public life from a well known source. He was simply a puppet in the hands of another. When the House met that gentleman's object was to become the leader of the Anti-Confederate party; and it was generally supposed that when in England he had represented himself in that character to Mr. Cadwell, who must have conceived a very poor opinion of that party from that circumstance. He, Mr. M., had not of course attended the caucus of the Liberal party at the opening of the Session, nor had he attended any caucus, but he was reliably informed that at that meeting the member for East Halifax had been left in a minority of one, himself voting, on the proposition to supplant Mr. Archibald by Mr. Annand as leader—a minority, it would be admitted, neither respectable in point of numbers nor otherwise. From that day the hon. member had commenced a most tortuous course in relation to Confederation, which clearly proved that personal position was his sole aim. He had told him, Mr. Miller, that he was willing to give the whole thing up and that he intended to visit Fredericton and communicate with Mr. Smith of New Brunswick on a scheme of Union to be submitted to the Legislature. That fact was notorious to many in the city, and it dare not be denied. For a whole week his departure for that Province was expected,—he did not go for reasons unnecessary to mention, but from the day when his leadership had been repudiated he had been ready to adopt any compromise, and had spoken to him to that effect. This was the action of the gentleman who had yet to hear the first argument in favor of Confederation. Early in March Mr. Annand accosted him, Mr. Miller, at the door of the Province Building, and signified his intention of coming down to the House to define his position, espousing Confederation; and proposing a resolution by which the details of the scheme would be left, as was then known to be the general wish of the friends of union, to the Imperial Government. In that conversation

Mr. Annand added, "if you Eastern men stick out, you will get into the same difficulty that your people are in in New Brunswick." Implying a threat as he, Mr. Miller, believed, that the charges of disloyalty and sympathy with Fenianism, which had been made by an injudicious portion of the Confederate press, of that province against certain members of the Roman Catholic body who opposed Union, would be brought against gentlemen representing the Eastern counties. These he suspected to be the tactics about to be resorted to, and, recollecting the past, he justly feared them. Mr. Annand had at that time expressed a fervent wish that "Mr. Howe would come home." Whether that gentleman's arrival had anything to do with the change in the hon. member's views and actions he would not pretend to say. He would admit that the tortuous cause pursued by the hon. member had some influence on his (Mr. Miller's) action, but his mind was chiefly influenced by higher considerations. About the same time the last hope of the renewal of the Reciprocity Treaty, by legislation or otherwise had fled, the Fishery difficulty was on our hands, Fenianism had assumed an alarming attitude, and the necessity for action became imminent. It was under this necessity that he reluctantly yielded his opinion in reference to an appeal to the people—the only point on which his opponents could charge him with inconsistency, and which was justified by the exigencies of the moment. After the Lunenburg election, in conversation, he had told Mr. Annand that he could not persevere in opposing all union, and that the time had come for effecting some compromise by which the objectionable features of the Quebec scheme could be got rid of. Mr. Annand agreed with him, and the result of that conversation was the article of the 24th January, which appeared in the Morning Chronicle, suggesting a new Convention to promote Union. Mr. A. afterwards communicated with Mr. Smith, and represented that gentleman as desirous of a common platform for compromise, as that article proposed. The views therein stated were publicly to be taken as the honest expressions of the hon. member, but in conversation with others Mr. Annand avowed that he was not sincere, and merely desired to get the delegates into a snare by inducing them to abandon the Quebec scheme. He thus played with the friends of union on fair terms and the opponents of all union. He had done more than that—he had frequently when urged by him (Mr. M.), manfully to adopt some scheme and deal fairly with the question, replied that such a course would not best subserve their own interests. But by working on the prejudices of the people, and exciting them against a union of the Provinces he and his friends would have the best chances of getting to Ottawa in case Confederation was carried, as he believed it must be, and if it were not carried by the Government the Opposition would have the honor of carrying it when they came into power. Could he (Mr. M.), after

such dishonesty and tergiversation of the member for East Halifax be blamed for abandoning at the right moment an associate so dishonorable, whose every act was a deception, and whose only object was personal gain. He was compelled to make these revelations in self-defence. He asked the house and the people to couple his statements with the charges of which Mr. Annand stood publicly convicted, should he venture to deny them. A man whose utterances had been stamped as "villianous falsehoods" in one case was not worthy of much credit in another. He (Mr. M.) was not surprised that the anti-Confederate party should have assailed him with such violence as they had done, or that they should now desire to underrate the support he gave them, and injure him in every possible way. They had placed a different value on his efforts as all knew until he felt he could no longer co-operate with them. Their present abuse and mis-representations were easily understood. They may not have felt his loss, but certainly they presented a different front after he abandoned them from what they did before. They had on all important occasions sought his services, and had unsought given him a prominence that would have enabled him to secure an honorable and lucrative position when the party came into power, as all expected they would by holding together until the general election. He had sacrificed these chances, which were not remote; and perhaps also his prospects in public life for some years to come from a sense of duty—but after all the popular clamour, now attempted to be excited, would soon subside, and before long the people would be just to the men who had boldly grappled with the great question. He could, therefore, treat lightly the insinuations about improper influences which were not believed by the men who made them, and were simply intended to mislead the country. Such charges could only trouble one whose conscience told him they contained some truth. Those who knew him best, whether they approved or condemned his recent action, would scout the base insinuations made against him. While such charges could be easily made and were calculated to leave an impression on the ignorant and depraved, no right thinking man would believe them without proof, because it was impossible to disprove an undefined charge of that nature. He had refrained from making these observations until he had been coarsely and violently assailed, and until further silence would have been misconstrued. They would throw some light on the honesty and consistency of the member for East Halifax, and account for his disappointment and temper at the course which events had taken.

Mr. S. McDONNELL asked the Atty General what had become of the resolution calling upon Mr. Annand to lay on the table letters which he had read, as a part of his speech on a previous occasion. The very fact that other members had sent petitions into his county proved that he had never committed himself in opposition to union. He denounced the efforts

made by the member for East Halifax to mislead the public mind and create agitation throughout the country, and stigmatised the position in which that gentleman had placed himself in the recent discussion on the subject of Confederation.

Mr. MILLER said it would be a gross insult to the House to suppose that any corroboration was needed for the statements he had previously made. The certificate produced in reference to the Inverness circular did not prove that the document was not written before the meeting of the House, which was the case. In reference to the Lunenburg election, and in reply to remarks concerning one of the members for that county, he would state that the terms upon which Mr. Hebb had agreed to run his election were; that his expenses should be paid, and that he should receive £30, as was agreed to be paid to Mr. Zwicker, and this money had been actually given to one of the agents in compliance with the terms.

Mr. HEBB denied that he had been bribed to run the election,—he had not been desirous of undertaking the contest; if his wishes had tended in that direction, he could have been in the House eighteen years ago. A free election had been offered him this time; and for the purpose of inducing his friends to desist from their entreaties, he said that he would require to be paid the £30, which Mr. Zwicker was reported to have got, but since receiving the requisition he had not for a moment thought of receiving the money and never should.

Mr. JOST introduced a bill to legalize assessment rolls of the county of Lunenburg.

Mr. HEBB complained that he had been unable to have the road scale for Lunenburg arranged as he wished it. His colleagues would not allow him to appoint his own commissioners. The scale had been handed in without his consent.

Messrs. JOST and KAULBACK said that they had given every opportunity to the hon. member to consult with them in reference to the distribution of the road money.

HON. ATTY. GENERAL introduced an act to amend chap. 70, Provincial Railways; also, a bill in reference to Crown Lands.

WEDNESDAY, May 2.

The House went into Committee, and passed the following bills:

To provide for an improved system of sewerage in Halifax; to enable the trustees of a school district in Cumberland county to sell certain property; to legalize assessment rolls of county of Queens; to amend chap. 63, Preservation of Useful Birds and Animals; to incorporate Knights Templars, Kentville; to facilitate the settlement of titles in Cape Breton; in respect to trespasses on crown lands; relative to the sale of munitions of war; relative to the oath of allegiance; relative to Militia; to enable the College of St. Xaviers, Antigonishe, to confer degrees; to amend chap. 15, Exportation of Goods and Drawbacks; to amend chap. 70, Provincial Railways; to provide a summary mode for recovering possession of crown lands; to amend chap. 25, Mines and Minerals; to establish a stock farm; to establish a public landing at Paradise.

The bill in respect to river fisheries provoked some desultory discussion. Mr. Cowie and

other gentlemen opposed the introduction of fish ladders as detrimental. A motion to defer the bill was made by the Financial Secretary, to test the feeling of the House, and lost. The bill then passed.

Mr. ARCHIBALD moved the passage of the bill to amend chap. 19, of Licenses for the sale of Intoxicating Liquors. The object was to prevent the sale of groceries and liquors in the same establishment, not excepting Halifax and Pictou. Mr. Tobin, Mr. Shannon, Mr. Pryor, Mr. Miller, and others, opposed the bill, on the ground that it had always been the policy of the House to allow the city to manage its own affairs. Mr. Longley strongly supported the measure as necessary to the public morality.

Mr. ARCHIBALD moved to test the feeling of the House: "That this House is of opinion that outside of the city of Halifax no licenses should be granted." On a division the motion was carried.

He again moved that no licenses should be granted to the city of Halifax. Mr. Shannon moved in amendment that the matter of licenses generally be referred to the corporation of the city of Halifax. The amendment was carried by 22 to 12.

Mr. Archibald's assessment bill was brought up and briefly discussed. It was moved that the third clause be reconsidered. As the motion was carried, the bill was virtually lost for the session.

The House then adjourned until 3 P. M. next day.

THURSDAY, May 3, 1866.

Hon. Mr. MCFARLANE reported from the Committee on Agriculture, Hon. ATTY. GEN., from the Post Office Committee. Both of these reports were unanimously adopted.

SCHOOL LANDS.

Hon. PROV. SEC. did not think the Committee were in a position to deal with the bills; they were before the Legislature last session, but were not passed. The House gave authority to appoint a Commission on the subject, which had reported. Gentlemen were of opinion that that Commission—composed of representatives of different religious bodies—had not sufficiently enquired into all the circumstances of the case. The Commissioners, however, unanimously decided that some of the school lands in question could not be alienated by the Legislature without a violation of those principles that usually govern its legislation. The bills before the House were reported up from the Committee in the identical shape in which they had been rejected last year. He thought the House was not in a position to deal with the matter until full and deliberate enquiry had been gone into on the subject, and that it should be referred to another Commission who should be explicitly told to enquire fully into all the circumstances.

Mr. ARCHIBALD said that the bill relating to Onslow did not interfere with anybody's rights. There was a quantity of school land at that place which, since 1843, had been rented out by the trustees of schools at £5 a year. The trustees came to the House and said if they could sell these lands they would derive £30. These funds would be devoted to the same purpose, namely for schools. There was

not even a single churchman in the district of Onslow, and the church could lay no claim to the lands. Mr. A. went briefly into the history of the subject for the purpose of sustaining his argument.

Hon Mr. SHANNON stated that the question was more properly one that should be considered in a court of law. He would like to see a Committee go out with full power to examine into the subject. Such a Commission should be remunerated for their labour.

Dr BROWN said that all the people of Horton asked was permission to spend the funds belonging to them. He hoped that the bill relative to that district would be passed.

Hon PROV. SEC'y proposed the following resolution:—"That the Government be requested to refer the question of the title to these school lands claimed by the Society for the Propagation of the Gospel to Commissioners in order that they may report more fully to the House on the subject, and after receiving testimony both for and against the Society's claims."

Hon ATTY GENL said that it appeared to him the rights of the society, if they ever had any, had now lapsed.

Mr. S. CAMPBELL said that the House of Assembly was incompetent under existing circumstances, to decide upon these disputed claims. He was in favor of the matter being referred to England, or some competent tribunal.

Mr. BLANCHARD urged the propriety of passing the bills, and stated that his Lordship the Bishop had been quite willing that the money should be appropriated for the support of schools in the township of Onslow; all he wanted was the power of nominating the teacher; he was quite content that the person should be one selected by the people; so he actually asked for nothing merely the vetoing power. He (Mr. B.) objected to that on principle.

Mr TOBIN said that all lands for school purposes belonged to the government. He would pass a bill devoting the whole of them to educational purposes.

Mr PRYOR gave a history of the question to show the character of the claims of the society to the lands, and expressed his desire to see the whole question referred to a commission.

Mr BLACKWOOD supported the bill.

On a division, the resolution moved by the Provincial Secretary, was carried by 10 to 20.

The Committee rose and reported progress.

Mr ANNAND reported from the committee on trade and manufactures.

The House adjourned.

FRIDAY, May 4.

The House met at 3 o'clock.

Hon. FIN. SECRETARY introduced a supplementary estimate, and in doing so remarked in reference to an application for \$1200 on a road in East Halifax, that it was found impossible to include that item in this estimate, owing to the large number of applications claiming consideration.

The Report of committee on public accounts was adopted.

The Bill relating to Patents, and the Bill relating to St. Xavier's College, passed.

Hon. Mr. MCFARLANE moved the adoption of the Report of Committee on Mines and Minerals.

Mr. ARCHIBALD called attention to the case of Mr. Bligh, which had been adjudicated upon by the committee. He said it appeared that this individual had taken out a license to search but had been dispossessed by a person to whom a subsequent license was granted. No court of law or equity could uphold the claims of the party holding the second license, and yet the committee had reported against Mr. Bligh's claim.

Hon. Mr. MCFARLANE and Hon. FIN. SEC. stated that the matter had been decided upon by the Government after a careful investigation of the facts; the person alluded to as holding the second license, claimed under a previous license, covering the same locality, and claimed to have discovered the mine on the property.

Mr. ARCHIBALD said he had been disposed to think that the action of the government had been inadvertently taken, but the deliberation referred to only made the matter worse as far as they were concerned. So far from the locality being the same as that upon which the previous license had been given, the Commissioner of Mines had given evidence under his own hand to the contrary.

The report was received and adopted.
The House adjourned.

SATURDAY, May 5.

The House met at 3 o'clock.

The amendment proposed by the Legislative Council in the Equity Bill, leaving the bill as originally introduced, was agreed to, Mr. Miller and Mr. McDonnell opposing the amendment on the ground that it caused a separation of legal and equitable declarations, and would operate prejudicially.

DELEGATION TO WEST INDIES, BRAZIL, ETC.

Mr. S. CAMPBELL said it might be gratifying to persons engaged in coal mining enterprise, if the Financial Secretary would state what prospects there were of the establishment of a coal trade with those countries which had been visited by the recent delegation.

Hon. FINL. SECY. said that on arriving at St. Thomas the delegates had discovered that their whole mission would not be concluded until late in the summer, and the duties were therefore divided, three gentlemen proceeding to Brazil and the others visiting the West Indian Islands. At St. Thomas there was a very large market for coal, various mail communications centering there, and the coal used was imported from England at a cost of about 40s. per ton. The consumption for four lines of steamers—one to Demerara, one to Aspinwall, one to Jamaica, and one to Vera Cruz, was 100,000 tons; another line ran from France to St. Thomas, and thence to Havana and Vera Cruz, also causing a large consumption. These, with two or three other lines in operation, created a market for 300,000 tons of coal annually, which was supplied from England, although England was double the distance from the Island that Nova Scotia was. In addition to this there was a large market in the other British and foreign islands. The process of manufacturing sugar had been changed from the old method of grinding by windmills, and steam machinery was in use in almost all the islands.—This manufacture caused a consump-

tion in Demerara of 50,000 or 60,000 tons annually, and other islands consumed in proportion.

In the British West India Islands alone there was a market for half a million tons of coal, while the Spanish islands had a market of almost equal extent. To show the value attached to the coal trade, he would remark that in no country in the world was shipping more heavily taxed than in Cuba, the rate being \$3 per ton for port duties, but for a vessel bringing coal, and taking no cargo in return, the tax was reduced to \$1; while vessels bringing coal, and exporting molasses on the return voyage, were allowed to come and go free of charge. Looking at this large market for coal, and at the prospect of return freights, he did not see why our coal masters, with a little energy, could not undersell parties from any other country, provided our coal was of as good a quality as that of England. In Demerara coal had been \$18 per ton, and subsequently had risen to \$22. A vessel could make the voyage in 16 or 18 days, and when he was there he had received advices in 15 days. The impression on the minds of parties engaged in the works in which the article was consumed, appeared to be that there was no coal so good as the English; but he had received a note from one gentleman agreeing to take some of our coal at a certain price, in order to ascertain the quality, and a party here had agreed to furnish a supply accordingly. It would be necessary for our coal masters to display energy, and to prove that our coal was not inferior to that now in use, and that was all that was required to command the market.—He said that Mr. LeVesconte not having returned, it would not be practicable to lay before the House a full report of the delegation.

MISCELLANEOUS.

The bill to incorporate the Directors of Point Pleasant Park, was agreed to.

Mr. BILL moved that the Council of Public Instruction be requested to promote as much as possible the teaching of music and military drill in schools, and that the books and instruments necessary for this purpose be supplied on the same terms as other school books.

The resolution was supported by several gentlemen, and passed unanimously.

The Legislative Council, by message, informed the House that they had agreed to the bill to enable the City of Halifax to borrow money to improve the City Water Works.

Mr. TOBIN said that his colleague had attempted to introduce the bill into the House on the previous evening, but leave was refused, owing to the lateness of the period at which the bill had been sent up. He doubted the propriety of passing the bill at a time it could not receive due consideration.

Hon PRO SEC. Hon Mr SHANNON, and Hon MCFARLANE, explained the necessity of the measure, owing to the occasional failure of the water supply in Halifax, and in view of the threatened visitation by pestilence.

The bill passed.

The House adjourned.

MONDAY, May 7.

House met at 12 o'clock. His Excellency Sir WILLIAM FENWICK WILLIAMS, Lieut. Governor, &c., came in state to the Council Chamber, and commanded the presence of the House therein. After giving his assent to a number of Bills, His Excellency was pleased to close the Session with the following

SPEECH :

Mr. President and Honorable Members of the Legislative Council :

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

I congratulate you on the close of an arduous Session, during which measures have been passed which will, I confidently believe, materially promote the prosperity and advancement of the Province.

The amendment of the law relating to Education will, I trust, impart increased efficiency to the Common School system, and result in the more general diffusion of knowledge among all classes of the people.

The measures providing for the extension of Mining Leases will, I doubt not, attract, in an increased degree, capital from abroad to still further develop the remarkable mineral wealth with which this country abounds.

The provision made for the due representation of Nova Scotia at the Paris Exhibition will diffuse more widely a knowledge of her great industrial resources.

The enactments intended to place the treatment of Pauperism and Disease among the destitute on a more enlightened and humane footing, and to protect our shores from the ravages of infectious diseases, cannot fail to be productive of general good.

The gallant manner in which all sections of the country responded to the call to arms, and the increased provision made for the defence of the Country, prove conclusively how highly British institutions are valued, and the sacrifices you are prepared to make to sustain your connection with the Parent State.

The liberal provision made by you for the protection of the Fisheries will be an additional incentive to the Imperial Government to secure that valuable heritage from the encroachments of foreigners.

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

I thank you for the liberal appropriation made for the Public Service.

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

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

Permit me, in conclusion, to express the deep gratification your action upon the great question of a Union of British North America has afforded me, not only as the Representative of Her Gracious Majesty, but as one of yourselves. It will afford the greatest satisfaction to the Imperial Government, as the means of imparting additional security to this portion of the Empire; and I recognize in the patriotic course you have adopted, the most efficient guarantee not only for the increased prosperity of this Province in common with our sister Colonies, but also for the permanent connection of them all with the British Crown.

[Mr. Annand's reply to Mr. Miller, in report of Tuesday, May 1, was sent to the *Chronicle* office along with other "copy," but it has neither appeared in that paper nor been returned for insertion in the other journals publishing the official reports. Mr. Thompson, who reported the whole debate, assures the chief Reporter that he reported Mr. Annand with the utmost correctness, and that "he can have nothing to complain of." The discussion lasted a whole afternoon, and if published in full would have made at least eight columns. Miller spoke at least four times as long as Mr. Annand, and his remarks, even when condensed, of course must necessarily occupy more space. The points of the speeches of both have been given by Mr. Thompson, whose fidelity the House has had full opportunity of testing during the past session. Mr. Annand himself has invariably been reported by that gentleman, and has never done more than make verbal corrections in the manuscript as handed to him.—J. G. B.]