

I freely admit the prerogative of the crown, to remove any person holding a public situation, and while I have not come here to-day to ask for public sympathy, yet, at the same time, I think it my duty to make a few remarks on the very unusual and extraordinary course adopted towards me by the present Executive Government. It is well known that by the act of 1854, the Lieut. Governor was authorised to appoint six persons who should constitute a Provincial Railway Board, the chairman of which was clothed with two votes. I have had the honor of holding office as one of these commissioners for three years, up to yesterday, when, for the first time I was given to understand, by the contents of a document, that it was the intention of the government to remove me from that situation. As remarked, I do not question the abstract right of the crown to do this act,—but I believe, it is the first time in the history of Nova Scotia that the executive government have undertaken by such a process to remove a Provincial officer, without any charge of incapacity or misconduct. Never before in the history of our province has the Lieut. Governor been advised for such reasons as now given, to do such an act as this. Some six or eight years ago, when the constitution of the country was changed, and responsible government was introduced, it was found necessary, under what is called the Departmental Bill, to make such changes as involved the retirement of one or two gentlemen. That was a very different case from the present. Great reasons of state rendered the act imperative, and every person felt its necessity. I, sir, have been treated in this instance as if I had committed some improper act which rendered me unworthy of public confidence, and unfit for public duty. The executive government have evidently sought to affix a stigma upon me personally. The people of Nova Scotia will now know that any individual holding a public office is liable, without any cause assigned, unless it be to make a suitable place for a successor, to be removed from public life, and have his reputation blasted by the arbitrary act of an executive government. I have sat during the last three years at that Board transacting public business with gentlemen of the very highest reputation for integrity and honour, and capability, and I think I am not saying too much when I assert that during that period I have enjoyed the entire confidence of every gentleman with whom I have been associated. Yet, I am now it seems, to be removed, and for no other reason but to make room for another gentleman with whom I have sat for many years in this house, lately the Receiver General of this province; and to the government of which he was a leading member I have ever given my best support.

There is no precedent, I feel assured, to be found in colonial history for such a procedure. It may be necessary in certain cases, that officers of government should retire and their offices be abolished; but, heretofore, when such a course has been found necessary, the government have courteously consulted the officers who were to retire, and have placed them in such a position as to enable them to resign their situation without unnecessarily inflicting a wound upon their feelings or damaging their reputation.

We have been told that there has been an attempt on the part of Protestants to proscribe Roman Catholics. I can only say that in the conduct of affairs by the late government I never saw anything of the kind. The present government seem to have invented the proposition, and in reality commenced a system of unheard of proscription. I ought to be proud, perhaps, to be the first man against whom these proscriptive principles have been enforced. (Hear, hear.)

I ask the hon. Receiver General—I ask the late President of this Council,—if they have any precedent for such an act? I ask, did Lord Palmerston so treat Admiral Seymour and Sir J. Bowring? The hon. gentleman opposite smiles; perhaps the time may not be far distant when his smiles may again sit as ungracefully upon his features as they did when he lately resigned his seat as President of this house. This important fact is now patent to the country, that the new combination of gentlemen as an executive government proves itself unable to conduct the affairs of the country without the assistance of one of the members of the late administration. Is it, as has been more than hinted, that the incompetency of the present Receiver General requires that gentleman's assistance? If so (and in certainly looks something like it), then it is not very complimentary to the capabilities of the new Receiver General, nor a very creditable condition for the government to be placed in. They have displaced an officer of a previous administration, and now offer him a new situation, with the salary of £100 a year additional, in order to retain his services. Has it then, indeed, come to this, that merely because the new government want a place for another gentleman, and for no other reason, persons holding non-political offices are to be ignominiously removed.

I shall keep this precious document (the Provincial Secretary's letter) as the record of the first act of this model government. Listen to it. (The hon. gentleman then read the letter again.) Why is his Excellency made to inform me that his government intend to appoint Mr. McNab as chairman of the Railway Board? Why should I be furnished with their state reasons, and so honoured with their confidence? I believe from my soul that it was because they were ashamed to commit this act, and thus they puzzled about for some pretended excuse. They usher it in with a long preface, and quote law to inform me that two gentlemen belonging to the Council cannot hold seats at the Railway Board, and conclude by saying it will be necessary for you now to "take your hat and retire." I shall most certainly do it. But why could they not have appointed Mr. McNab to the office without informing me of their intentions?

And these, forsooth, are the gentlemen who

talked so lately and so loudly about religious proscription, and whose very first act is to proscribe one of the Railway Commissioners. We have heard a good deal about proscribing Roman Catholics; but I will venture to say that had I been a Roman Catholic, and not a Baptist, (I do not mean a Conservative Baptist, but one of the Roger Williams kind—one of the old John Bunyan, John Milton stamp,) I think sir, I might have held my seat for some time to come. But because a man chooses to act independent, and refuses to bow down to the images which a political Nebuchadnezzar sets up, he is to be crushed. Well, if the gods are to be propitiated by such a sacrifice, I should perhaps be proud that I have been thought of sufficient importance to be selected for that purpose.

I ask the Receiver General if ever the liberals of Nova Scotia committed an act like the one under discussion. Did they ever remove a provincial officer without a charge of any kind being made against him? I defy the government or any of their supporters to point to such an act. It is just possible that honourable gentlemen may have thought that they were inflicting a serious injury upon me in removing me from the Railway Board. Be it so, I shall still live, I trust, a consistent, independent man.

I have heard it whispered in certain quarters that it has been under consideration as to the best mode of removing me from this house. After what has already occurred, I have no doubt they would do it if they possessed the power, sir; and I am glad that I have not to thank them for the privilege of a seat here. I have also heard, sir, and I believe it to be true, that at public meetings or on the hustings in one, if not two, of the counties where elections have recently been held, the office of chairman of the Railway Board has been shamelessly hawked and marted for Presbyterian votes.

The government have said to me, "We want your seat, sir, not because we are going to put in a person of higher qualifications, not because you have neglected your duty, have become incapacitated or unfit for the office, but because we want the station for the purpose of bestowing it on a member of the late government, now one of our friends." It may indeed be that the cares of state already begin to press heavily on the new Receiver General, and he may not feel exactly equal to the exigencies of public affairs, and he may require, as has been hinted about, a little assistance. I am only surprised in that case that he could not, amid the talents of his supporters, have found a suitable assistant, instead of attempting—I will not say to bribe, sir,—but I will say, to seduce from the paths of political virtue and consistency a gentleman who lately sat with me, and voted with me in all constitutional questions. I have brought this matter before the house for the sake of the principle involved. As for the £200 a year, that was pretty well earned. Besides the time and care and labour on the works, I have spent two hours a day at that Railway Board for the last three years. Heavily, sir, have we felt the responsibilities connected with our position. I can easily imagine that a day may arrive when the new chairman of that Board will feel and appreciate the responsibility resting on him. God forbid that the time should ever come, but it may come, and Nova Scotia railroads will be an exception to all other roads if it do not, when some express will arrive, conveying the sad intelligence of such a mournful catastrophe as that which occurred the other day at Hamilton, or not long before in Connecticut, and in adjacent States. Then, all the nerve and manhood of the individual to be elevated to the head of that Board will be required to sustain him in such trying scenes. In leaving the Board, then, I feel that I am also relieved of a large share of weighty responsibility.

I feel—I have ever felt—a great interest in the success of our railways. I was one of the first who sat down to plan that stupendous work, and many a wakeful hour have I experienced in consequence of the resulting responsibilities. I do feel, sir, that the people who have predicted the ruin of these works, and who would be delighted to see their predictions fulfilled, are hardly the persons to be intrusted with the management of them. I feel, sir, like a man who has planted an acorn, or rather, I should say, a choice fruit tree—who has nursed its tender branches till it became a tree—was blossoming and just ready to bear fruit, and then some ruthless hand is laid upon it to destroy it. I know, sir, the motive; I feel that there are parties who can gloat over this act and enjoy it. Well sir, let them do so. We have seen darker days in Nova Scotia than the present. The gentlemen who have long advocated progressive principles in this country have been in worse positions than they are at present.

I now move that the house go into committee on bills.

The bill to incorporate the Margaretville Fishing Company read.

Hon. Mr. Archibald moved to amend the bill by enacting that 200 shares be subscribed, and £200 actually paid in on account thereof before the company went into operation.

This amendment was agreed to, and the bill as amended, then passed.

WEDNESDAY, April 8.

REMOVAL OF HON. MR. McCULLY FROM THE RAILWAY BOARD.

Hon. Receiver General—I rise, sir, to make a few observations in reply to the very remarkable speech delivered yesterday by the hon. and learned member (Hon. Mr. McCully); and in doing so, I shall follow his example, by moving that the house go into committee on bills before I resume my seat. It appears that in consequence of the changes which have taken place in the government of this country, and in order to carry out efficiently the policy which it con-

siders essential in all the branches of the public service, that not only the heads of departments should be changed, but that also some of the chief subordinate servants of the government should be removed. There is no position more prominent in this country at present, according to the opinions and feelings of the people of Nova Scotia, than that of the men placed at the head of the Railway Board, to carry on and superintend that expensive undertaking. It so happens that a great difference of opinion has existed, and does still exist, on that question, between the party lately in power and the party in whom that power is now vested. In the present advanced state of the undertaking, any party succeeding to power must carry on to completion certain portions of the lines. It appeared desirable on the part of the government that such an appointment should be made to that board as should command the confidence of that portion of the people who have supported the late government in its railway policy. It was always a question whether the Railway Board should be composed of five or a smaller number of members. The government has therefore taken into consideration the propriety of reducing the number of the members at that board, and thereby reducing its expenses, without, as they believe, diminishing its efficiency. Several years ago, when the bill was passed by this house authorizing the appointment of a member from each branch of the Legislature to that board, I objected strongly to that policy, because it affected the independence of members here, and subjected them to an influence injurious to the character of this body. I continue my objections to that policy, as regards a small body like this. The evil effects of that extending influence has been felt and seen, in both branches of the Legislature, from that period to the present. It has been said that the seats at that board were not political. How did it happen, then, that the hon. gentlemen selected from the Legislature to fill seats there were individuals of the same party? Surely, as far as regards the members of this branch of the Legislature, and I may also say of the other branch, they were appointed because they possessed the confidence of the government then in power. Suppose it had not been necessary or expedient to appoint the late Receiver General to the Railway Board; I take it as a matter of course that the opinions of the majority of this house—that public opinion would have required the resignation of the hon. and learned member. How does it happen that the gentleman who has so distinguished himself in his advocacy of this work found it necessary to retire from the office of chairman of the board when the late government resigned? When that gentleman did so—and with honor and dignity, as far as that act was concerned—what right has the hon. and learned member to complain? What exempts him from the operation of the same political influence? Think you that the present government is unable to find persons from amongst their own party equally able with himself efficiently to conduct the affairs of that board? If he does think so, it is a conceit and a fallacy which no member of this house can for a moment believe. When it became necessary to re-construct that board, in order to ensure the confidence which they intend shall rest upon the government, it was thought beneficial to the public service to appoint an individual who was considered by the late government worthy of holding a highly responsible position among them.

The hon. and learned member has thought fit to draw a comparison between himself and the hon. member who has been thought eligible from his attentive business habits and knowledge, the esteem of all parties, besides his political position, to fill the office of chairman of the Railway Board. Well might hon. members smile at seeing that comparison drawn. In that talent which his profession leads him to cultivate, the hon. and learned member possesses ability; but in matters of business, surely, surely, he cannot expect the members of this house to draw a comparison between his fitness and that of the hon. member to whom I have just alluded. The hon. member claims to have been always a friend of the railway policy enunciated by the late party who were in power. I admit that to the fullest extent. He has supported it in its utmost extravagance; he has attempted to educate the people of this country to believe that wealth can be created out of debt. As to his calculations about this work, the country will judge of them. I for one most earnestly hope that his expectations rather than my convictions will be realized. The situation of chairman of the Railway Board is one which we contend is as honorable for him to accept, as it is for the present government to confer. The hon. and learned member intends the people of this country to believe that he is a martyr. I take it for granted that the country well understand what that martyrdom amounts to. The hon. and learned member intended to insinuate that because he was a Baptist therefore he was excluded from the Railway Board. It was fortunate for the government that the hon. member whom it is proposed to appoint is a Protestant, and not a Catholic, though it is unlikely that would have barred the appointment. The hon. and learned member claiming to be a baptist, says that he is proscribed on that account. Why, two prominent members of the government belong to the same religious body! Does he expect that the only baptist at this end of the building is going to be proscribed because he is a baptist? That is a specimen of his eloquence, illustrative of the style of argument which he has exhibited from the day he entered this house till the close of yesterday. It will pass for what it is worth. It deceives nobody here, and will deceive no one in the country. He also asserts that gentlemen of the majority of this house, the members of the government, are delighted to deprive him of office. I say for myself and for my colleague in the government

in this house, as I might for every other member of it, that it communicates no pleasure, apart from an inexorable public duty, to deprive the hon. and learned member of any public position and income he has enjoyed. The government purposes to stand and to be judged by its acts; may it always succeed as well as it has in the present instance,—may it always command the confidence which this important appointment in the present exigencies of the country is so well calculated to secure. Then I may venture to say that the hon. gentleman's eloquence will rebound as it did yesterday, in empty echoes from these walls, inaccessible to any understanding but his own, powerless on the members of this house, and of the audience who heard him. I arose simply to make a few observations, not to the points of his address personal to myself, but on the act of the government in removing him. He says that the loss of the situation is a pecuniary loss to him. Let me remind him that it may be a great gain to the people of Nova Scotia. The earnestness and eloquence we heard yesterday in his own behalf is a proof of what he can do for the country. Still may I congratulate him on the opportunity which he will have of serving them faithfully, untrammelled by office. He will commence a new and more active and energetic career than he has even yet had here; and he will himself look with pleasure on the exigencies which arose, and which placed him in that position. I move the house go into committee on bills.

Hon. Mr. McCully—I second the motion, and, in doing so, I beg leave to congratulate the government on the ability of the new Receiver General. The government ought to be proud that it has a gentleman who, even after twenty-four hours, is able to make such a defence as the Receiver General has done to-day. If there is a man in Nova Scotia who, above all others, ought to be found in the opposition at this moment, that man is the late Receiver General. If political consistency be a virtue, then that gentleman should be here sitting in opposition with me. The government we have to-day, is made up of the odds and ends of all parties. He comes here to call me to account for stating that the government, in dismissing me in this arbitrary, unfair manner, had sought to inflict a stain upon my reputation. The government had but to signify to the Railway Board that they desired their resignation, and they would have had them forthwith. They could then have re-appointed whom they chose. But when they single me out, so that the people of Nova Scotia should say "Mr. McCully has been suspended," assigning no cause for the act, communicating their reasons only to myself in a private letter, I repeat it, any man of spirit would treat it as a public insult. Was I then to conceal this document which was sent to me from the Provincial Secretary's office. No, sir, it was due to myself that its contents should be published. How can the Receiver General come here and tell me that I should have resigned, when the chairman of that Board resigned? The Receiver General knows why the chairman resigned. It was because he took an active part in the difficulties which produced the downfall of the late administration. When the administration was overthrown, then he felt it his duty to go into opposition with them. But was I in that situation? Was not every gentleman at that Board in the same position with me?

The hon. Receiver General has lost confidence in me—has he? Well, sir, it is no matter of regret to me if he has. The sentiment is mutual. But I do not believe that the gentlemen composing that Board have lost the confidence of the country, nor had the country lost confidence in them. If the Board is to be reduced from six to three members, as intimated, why select out one member and do it in this offensive way? Why reduce it one at a time?

Hon. Receiver General—Suppose the government entertain a very high opinion of the person nominated as chairman of that board—the same opinion as the late government had when they appointed him Receiver General—how could the appointment be made?

Hon. Mr. McCully—If that were right, still my objection is, that the government should have made the appointment in another and less offensive way. If they intended to reduce the board, why did they not wait till they had passed an act authorising them to do so? I believe that there were gentlemen in the government who felt they had now the opportunity to aim a blow at one who had crossed their path—who had placed them in a position which compelled the Receiver General to assist in mutilating the public records of this house; and on that account it was found necessary to place some mark of public disapprobation upon myself individually. They cannot make a martyr of me, sir; but the intention evidently was to mark me as a person in Nova Scotia unfit to hold a public office. One would suppose that a man of so much talents and virtue as the hon. Receiver General would have sustained even the late government, and have preserved it from the untimely end to which it came. The Receiver General has only discovered these rare talents when it is found rather inconvenient to conduct his own department without him. I only hope, when the late Receiver General takes up his new position, that he will be able to pay a little more attention to his duties, as a member of this house, than he has of late. The Receiver General says I have sought to obtain sympathy on account of being a Baptist. I should have said nothing on that subject, sir, if it had not been for the introduction of that element of discussion into our debates by the Receiver General himself and another hon. gentleman, a government supporter. It did seem a little remarkable, however, that one gentleman not of that class threatened with proscription, as alleged, should have been the first to be sacrificed, in order to gratify the vengeance of certain members of the new government. He says I came here to solicit sympathy. I deny it, sir; I nei-