

Fredericton and York would be ruined; unless Smith was crushed, the seat of Government would be lost. It might be thought that from the position the hon. member had assumed in denouncing the Government, that he was one of the most extraordinary and immaculate men that ever lived. When he spoke of men holding on to office for merely selfish motives, he should have recollected that they had been in Government together, and he (Attorney General) thought that the course of his political life would contrast favorably with that of the member for York. He would ask him (Mr. F.) to point out one instance when he had left a Government voluntarily, for conscience sake. He could not. But he (Attorney General) could remember a time when he was ousted out of a Government. The mover of this amendment spoke of the Government as condemned before the country, and holding on to office against the wishes of the people. They could not if they would; they would not if they could. They were in the hands of the people; they must give a strict account of their administration. It was the privilege of the people to watch narrowly the acts of those in power, for the tendency of power was aggressive, and it was their duty to look clearly that these men who held high positions fulfilled their trust. If, when they had given an account of their actions, the people should pronounce a verdict against the Government, they would cheerfully resign office. But while it was the duty of the people to watch closely the acts of men in power, it was no less their duty, when it was sought to oust them out of office, to watch narrowly the motives of those men who were endeavoring to accomplish that object. He put it to the hon. members, he put it to the country, if the mover of this amendment was actuated by a spirit of patriotism, whether this was the time for him to take the course he had. If it was true, as he hoped to God it was not true, that the country was threatened with a hostile invasion, what would be the position of this House, what would be the position of the country, if this vote of want of confidence was carried? There would be only two ways to pursue; one was to dissolve the House, or a new Government would have to come in, and the House would have to be prorogued to allow members of the new administration to stand their elections. Was this the time to plunge the country into all the excitement of an election, or to leave the country without a Government when, as it had been said, the country was in a state of terror and suspense, in danger of invasion from lawless conspirators?

He had asked the mover why he had struck out that portion of the Amendment that referred to the lawless conspirators from the neighboring Republic, and he had given as a reason, because some friend was afraid that the allusion might give offence to the United States! Was there any one so weak and childish as to believe that? Where were the men who were afraid to give offence to the United States? No; that was not the reason. He had seen, when the member of Carleton (Mr. Lindsay) made last Saturday, that violent speech against the Government in which he pictured the terror and alarm in the country, and demanded to know what the Government were doing for its defence, what was the game that they were going to play.

They had shown their hands, however, too quickly. He (Attorney General) was satisfied that what he then stated the Government had done to meet any danger that might be threatened, had shown that they were thoroughly awake to the emergency and were prepared to do their duty.

The Attorney General then proceeded at length, to show that the authorities had kept a most careful watch over the safety of the Province; that the Governor had been in constant communication with the British Minister at Washington—Sir Frederick Bruce;—that the Government had signified their readiness to put the whole resources of the Province, at the disposal of the authorities, in case of actual emergency. A war steamer had been sent from Halifax, and now lay at the harbor of St. John; steps had been taken to distribute arms throughout the Province; that, in Carleton—one whose members had so fiercely denounced the Government—there were, at this present time, five hundred rifles and ten thousand rounds of ball ammunition; and that the Governor, acting in conjunction with Col. Cole, and General Doyle, were taking proper and efficient measures for the protection of St. John. He would ask the House, had the Government been recreant to their duty? He would ask any hon. member to point out what more the Government could do than they had already done.

The Attorney General went on to say that he did not intend, that afternoon, to occupy the attention of the House much longer, but he intended, on another occasion, to take up the charges in the long bill of indictment preferred against the Government by the member of York, serially. After he had met and answered those charges, he would ask the House if the Government were not entitled to their confidence? He then proceeded to refer generally to some of the points he intended to take up, and alluded particularly to the question of Union and the Quebec Scheme.

(Mr. Desbrosses said he would like to know distinctly whether the Government had or had not a scheme which they intended to submit to the House?)

Attorney General.—If the hon. member of Kent had only asked that question before he had gone over to the other side, he might have answered him. It had been asked—he proceeded to say—if he was against a Union with Canada. He did not know that he was against Union, if an equitable arrangement could be made; but this he did know, that he was as strongly opposed to the Quebec Scheme as ever. He was opposed to building up Upper and Lower Canada at the expense of New Brunswick. He did not think it was right that they should surrender up their independence, deluding them with the idea of a grand nationality. He charged it against the Delegates who had gone to Quebec, that they refused to see any objection to the scheme, or to admit that it could be altered for the better; it was with them all "*coleur de rose*."

The House was then adjourned until to-morrow at ten o'clock.

A. A.

WEDNESDAY, MARCH 14th.

Hon. Mr. SMITH brought in a Bill

to revive and continue an Act in the Revised Statutes concerning the Export Duty on Lumber, and said he was desirous that the Rules of the House should be suspended in order to enable them to go into Committee on this Bill, as there was no provision at present for collecting this duty.

Mr. McMILLAN said, although it was a matter of importance which should be attended to at once, yet they should not go into Committee upon it in the absence of so many of the legal gentlemen.

Hon. Mr. SMITH would be glad to see every member in his place.

Mr. WILMOT had very little doubt about the power of the Legislature, and he thought that it was absolutely necessary that this \$60,000 which they had collected since the old law had expired should not be lost. It was an oversight it should be pressed forward and remedied immediately.

Mr. McCLELLAN said this oversight had been brought to their knowledge yesterday by the hon. member for York. (Mr. Fisher) and as there were legal questions involved in it there should be a call of the House, or have the consideration of the Bill postponed until to-morrow morning, which would be rushing the Bill through very speedily.

Hon. Mr. SMITH said he hoped all political feelings would be thrown aside in discussing this subject, for it was desirable to pass this law as soon as possible, to prevent law-suits being entered into by persons desirous of getting this money back. His hon. friend, Mr. Cudlip, had paid during the past year £1100 as export duty on lumber, and another party in the County of Kent had paid £300. These men say that this money does not belong to them, although they paid that money down; but it rather belongs to every man who contributed to the production of the deals, because the price of deals was affected by it. This was not the first case of retrospective legislation. Some years ago three Commissioners were appointed in the County of Westmorland to construct a Canal, and these Commissioners, assuming they were properly appointed, went on with the work, and expended three or four thousand pounds; but, in consequence of some legal difficulty, the case was brought before Judge Parker, and he decided the Government had no power to appoint them. Therefore, every man upon whose land they had gone could bring an action for trespass against them, involving the whole country in trouble. To prevent this an Act was passed in this House legalizing the acts of those Commissioners. That was a case similar to the present, and although it was exceptional legislation, it should be adopted when it tends to the public interest. He would now move that the Bill be committed.

Mr. FISHER said, passing a law for the future is one thing, and passing a law to cover all the past is another. It would be better to separate these two propositions. They had better provide a law for the future and let the other matter stand over a few days, until we have more time to consider it, for it is a question of great importance, and will be a precedent for future legislation. If this was a case of so much emergency, why did not they call the Legislature together in September, at which time they say they first discovered it? They should have called the Legislature to-