

1. Therefore, Resolved, that this House as representing the People of New Brunswick, is in no wise disposed to admit that a Union of the Colonies under the Quebec Scheme is an object to be highly desired," or essential to their future prosperity or influence, nor calculated to strengthen and perpetuate the ties which bind them to Her Gracious Majesty's Throne and Government; and this conviction was fully expressed by the people of this Province at the General Election held in March, 1865, by the return of a large majority of candidates opposed to the Quebec Scheme.

2. Resolved, That this House is fully convinced that the *Representative Body* is alone competent to represent the sentiments of the people, and that the Legislative Council, representing merely the personal opinion of certain Members, and irresponsible to the people, is not an authority competent to require the passage of an Imperial Act compelling the people to submit to a Scheme subversive of the Constitution of the Province, and indignantly rejected by its inhabitants who lately proposed to them:

3. Resolved, That no interference on the part of the Imperial Parliament with the Constitution of this Province, which should not be founded on the wishes of the people freely expressed either through the House or in any other constitutional manner, would in any wise tend to promote any scheme of Union between the Colonies, and the connection between this country and the Parent State, will be durable in proportion to the direct influence exercised by the people in the management and control of their own affairs.

4. Resolved, That the Legislative Council, by a ting with such a marked hostility to the s-iments of the people, have forfeited the confidence of this House of Assembly; and their proceedings during the session in passing the said Address to Her Majesty, and presenting the same to the Lieutenant Governor, previous to the passing of the Address by the House of Assembly in answer to His Excellency's Speech at the opening of the Session, and during the continuance of a d-bate on a want of confidence motion, have destroyed all hopes of seeing the Council act in harmony with the House of Assembly:

"And this House is convinced that Her Majesty's Government will abstain from acting upon an Address emanating from an irresponsible body of the Legislature, and advocating a scheme for an important constitutional change, and one whereby the members of that body alone would individually obtain increased salaries and higher official position.

5. Possibly, that the answer of His Excellency the Lieutenant Governor to the Address of the Legislative Council is directly adverse to the views and desires of the majority of the Representatives of the people, and the assumption of the responsibility of such answer by the Executive Council would admit a willingness to adopt that very scheme which the people at the last General election rejected by a clear majority, and which the Members of this Council, with other Representatives, we are bound to oppose.

6. Resolved, That the manner in which the said answer was submitted by him, Exhibit the Lieutenant Governor, to his Executive Council, and the motion, in order to and thereby cause a more sincere disapproval, and of the Members of the said Executive Council having been

consulted by His Excellency with regard to the terms thereof until within a few minutes before the same should have been and was delivered.

7. Resolved, That we cannot but highly approve of the conduct of the Members of the Executive Council in tendering their resignations to a Governor who has exhibited so little regard for the wishes of the people, and treated with such discourtesy the Members of his Council, the Representatives of the people, and used such means to destroy the principles of Responsible Government which this country has hitherto enjoyed.

8 Rescinded, That His Excellency, by thus exercising his authority, prevented the Legislature from going into consideration of the matters contained in his Address; and although a large majority of the Representatives have expressed their opinions upon the want of confidence motion in approval of the course of the Government, and sustaining them therein, yet by such conduct a Government possessing the confidence of the people have been compelled to resign, and the rights and Constitution of a free people trampled upon and disregarded.

9. Received, That it is deeply to be regretted that His Excellency should have persisted in such a course, after the almost unanimous expression of this House antagonistic to the Quebec Scheme at its last session, and adopted upon a calm, patient, and deliberate consideration of its provisions, and also after so decided and independent a majority of the people had expressed their condemnation thereof.

10. Replied, That in thus placing himself in direct opposition to the recorded opinions of the majority of the House of Assembly, and also of his Executive Council, his Excellency has pursued a course fraught with consequences so detrimental to the interests of the Province, and so subversive of the rights and liberties of the people thereof, that the same should immediately be brought under the notice of Her Majesty, in the hope that Her Majesty will be graciously pleased to make such a change in the Executive Department of this Province as will ensure the affairs of the Province being so conducted as to secure harmony among the different branches of the Government, and perpetuate that system of Colonial Policy and Government which was secured to us by the success of a former political struggle.

11 Resolved, That an Address of this House, based upon and embodying the foregoing Resolutions, be at once transmitted to Her Most Gracious Majesty, and a copy of the foregoing Resolutions forwarded to his Excellency.

Was there any precedent in this country for His Excellency's propping the House before it has passed the address in answer to the speech. The Opposition, during the continuance of this debate on the address, lost all hopes of overturning the Government by their motion of want of confidence, and they had to resort to another method. He hoped the prerogative of the Crown would not be regarded to prevent the representatives of the people from expressing an opinion on the resolutions moved by the Government, and that they would have the satisfaction of their sovereignty being asserted. He then referred to Charles I. protesting the prerogative of the Crown, and said:

Thank God we live in a free country, and have enjoyed a free Government for many years, and it was their duty to cherish it, and maintain its principles inviolate. He had no doubt but that the people of the country would do this, and that they would not surrender their privileges to any man who came from England, and would not probably stay here twelve months. He respected the man who was sent here to preside over them, and he would be sorry to encroach upon his privileges and prerogatives, yet it was the duty of the House to protect the liberties of the people. The prerogative of the Crown was committed to the Crown, not only for its own benefit but for the benefit of the people. It does not involve a mere passive obedience to the will of the Sovereign, but it is a high and mighty agent which should never be employed except for the benefit of the people. His prerogative of prorogation, which is for the benefit of the people, is now to be used to interpose between the voice of the people and the Governor, who was sent here to govern them. This is a high handed proceeding, when those resolutions are before the House involving a question between the Lieutenant Governor and the people. We ask permission to lay our grievance at the foot of the throne, and we have a right to be heard. Has the Governor a right to us; his prerogative to stifle the voice of the people, and prevent them from being heard by Her Majesty, who will condone such proceedings? That is what we ask for, and it is our right. We have been embled here by the lawful authority of the Crown, but we feel a right of courage has been perpetrated upon us, that our constitutional Government has been violated and we want to be heard by Her Majesty the Queen. Is that an unreasonable request? If not, why are we not allowed to have it? He trusted the Government would stay their hand, and allow them an opportunity to discuss those resolutions, and have them laid at the foot of the throne, in order that justice may be done, which is a reasonable request. He (Mr. Smith) had not heard the speech of the member of the Government in the Legislative Council, but he had been told that it was an attack upon him, and that he (Mr. Mitchell) had referred to a conversation with him. So far from having a conversation together, they held no intercourse. So fixed was the Government's determination to hold no intercourse with Mr. Mitchell, that he (Mr. Smith) thought they were scarcely courteous to him. He (Mr. S.) had told the Governor that whatever was done, was done with the full concurrence of his (Mr. Smith's) friends. His Excellency admits that a committee was to be appointed. Why did he not wait until the committee was appointed? It has been said that the answer to the address given to the Legislative Council, when they presented to His Excellency an answer to the speech, foreshadowed a scene of blood. That was an answer to the speech, and was this:—We are all united in our loyalty to the Queen, and we are all united in our loyalty to the Governor, and we are all united in our loyalty to the Legislature, and we are all united in our loyalty to the people, and we are all united in our loyalty to the law, and we are all united in our loyalty to the Constitution, and we are all united in our loyalty to the rights of the people, and we are all united in our loyalty to the interests of the colony, and we are all united in our loyalty to the welfare of the colony, and we are all united in our loyalty to the peace and harmony of the colony, and we are all united in our loyalty to the prosperity and progress of the colony, and we are all united in our loyalty to the glory and honor of the colony, and we are all united in our loyalty to the fame and renown of the colony, and we are all united in our loyalty to the power and influence of the colony, and we are all united in our loyalty to the 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