

its effects. The principle, to my mind, is entirely wrong, but if that principle is adopted, the number of representatives must be reduced.

**Hon. Mr. BOTSFORD.**—The hon. mover of the amendment has said that Upper Canada would not accede to any proposition for union unless it contained the principle of representation by population; and, therefore, without this any union was impracticable. That is, we have to submit, because Upper Canada chooses to put forward a proposition, a *sine quo non*. New Brunswick, containing 250,000 inhabitants, must swallow the scheme because Upper Canada says so. It is a proposition no free man who knows his rights will ever submit to. The members of the Legislative Council know these facts; therefore, when they passed the amendment to the Address, they promulgated the idea that the Quebec Scheme would be a benefit to the country. In the public prints we find the division in that body, on this question, was nine for the amendment and four against it. I will suppose a case. Suppose the number of members in this House was reduced to thirteen, which was the number present when that amendment passed, and we should rush this amendment through when the mover and seconder were absent, what would the country say to such deliberations? I think my hon. friend (Mr. Fisher) would be the first man to condemn it, for I think he is far above taking that course. Of those nine who voted in the majority, three were delegates who helped to concoct the scheme, and the other six were not opposed to it. This being the case, how can it be said that there was a change of public opinion upon this subject. My hon. friend (Mr. F.) has said that when the principle of one of those resolutions came up which provided that a certain number of gentlemen should be selected from the Legislative Council, that he and his colleagues did not agree about it. The people of this Province were led to believe that this resolution was the unanimous decision of those thirty delegates. (Mr. Fisher.—I told him more than three-fourths of the delegates were in favor of the mode adopted in the scheme for the constitution of the Legislative Council. I only gave my own opinion as being opposed to them.) My hon. friend was opposed to the principle of forming the Federal Council by selecting members from the Legislative Councils of the different Provinces. Do you suppose that Mr. George Brown, who was the concocter of the scheme, would not have put the screws on and confined us to numbers, when he found there was a disagreement among our delegates in one of the most important points. This I consider one of the most objectionable feature in the scheme.

Another objection made was in reference to the reinstatement of Mr. Inches into the Crown Land Office. In 1863, a petition to His Excellency recommending the reinstatement of Mr. Inches into that office, was signed by Messrs. Stevens, Glazier, Vail, Allen, Gillmor, Monroe, Lindsay, Ferris, Beveridge, McClellan, Stiles, Seavill, Boyd, Williston, McPhelim, Young, Landry, Dow, Costigan, Desbray, Ryan, Crocker, Gray, Skinner, Grimmer.

**Mr. GILBERT.**—I do not object to the reinstatement of Mr. Inches, because I never thought he was culpable. I never thought that either he, or the hon. mover

of the amendment, were blameable for the course they took at that time.

**Hon. Mr. BOTSFORD.**—I merely brought this forward to show that a large majority of the members of the House of Assembly, in 1863, were in favor of reinstating Mr. Inches. In 1865 a similar petition was got up and signed by twenty-five of the members of the present Assembly. (Mr. Wetmore.—We signed it because we thought the Surveyor General did not understand the business of the office, and it was very important that some one should be there that did.) My hon. friend likes a passage at arms; he does not give the true reason, but says it was for my especial benefit. We have then a majority of the House of Assembly, just from the people, signing a petition for the reinstatement of Mr. Inches, therefore that could be no charge against the Government. Another charge made against the Government by the hon. mover of the amendment, was in regard to my temporary absence on a visit to my family. (Mr. Fisher.—I did not refer to him in particular. I referred to the fact that the members of the Government were floating over the country, the Attorney General being absent for four or five months, to which I attributed the difficulties in which the Government were involved.) I think the inference is drawn that my duties are not attended to. Why does he not make a charge in a fair way, so it can be understood, and not deal in innuendoes? Why does he allude in general terms to the duties of my office being neglected, because I occasionally visit my family? The first question put to me when I was offered the office was, would I remove my permanent residence to Fredericton? I replied that I would accept of no political office upon those terms. I said I would accept of no office if I could not attend to its duties and have time to visit my family. This question of residing in Fredericton involves an important principle to every gentleman on the floors of this House. If accepting a political office outside the County of York involves a permanent residence in Fredericton, it is a virtual denial of any political office to any person living beyond the County of Sunbury, and is an injustice to other parts of the Province. I ask the hon. mover of the amendment to point out what has been neglected in my office during my temporary absence. While other gentlemen enter their offices at ten o'clock in the morning, and retire at three, having an hour's intermission at noon, I am not confined to hours. I am there from half-past eight in the morning until six at night.

The hon. mover of the amendment charges the members of this Government with being vacillating in their conduct—with being low and mean, mere pignies. This comes with a bad grace from one who boasts of being of such political gigantic stature. We know what he thinks of himself by his card, which he issued to the electors of York. He says, "I have left the impress of my mind upon the institutions of this country." This was not spoken during the heat of debate, but was written when he had time for calm reflection. He calls us low and mean because we signed a Minute of Council, which he said was insulting to the Queen's minister. When a question was propounded to us, we gave our views in a calm, loyal and dignified manner, as British subjects in New Brunswick. We had

considered whether this scheme of union was beneficial or not, and these were our views, and they were the views of a large majority of the people of this country, who endorse every word of that dispatch. We did not wish to adopt a scheme of union which would subvert the Constitution, and bring upon us "Inundation and woe." He (Mr. F.) will leave the impress of his mind upon the institutions of the country; and he might have added his actions in this country will stare him in the face. He was tried before a committee of this House and condemned. (Mr. Fisher.—I was not.) He was thrust out as unworthy to serve the Government by the force of public opinion, and now he calls us low and mean. (Mr. Fisher.—I did not.) and said we had no capacity. After being thrust out of the Government, he was like the spaniel who, after being castigated by his master, would turn round and lick his hand. He was obsequious to the concoctors of the Quebec Scheme; he agreed to all but one principle.

There is another charge made against the Government, which I shall touch very briefly upon. We are charged with making our promotions on the Bench on political grounds. I deny it. We say that Chief Justice Ritchie is a man competent and able to fill that situation. As a jurist, Judge and Barrister, he is pre-eminently qualified for that situation. Hon. gentlemen may assert that the promotion was an insult to Judge Wilnot, but that does not detract from his talents or position; it is a charge based upon a baseless foundation. If Judge Ritchie was incompetent to fill the office, then the Government would allow the charge was valid. Who made it a political matter? My hon. friend, the mover of the Amendment, has made it so, because he justifies Judge Wilnot for exerting his influence in addressing Juries from the Bench on the question of Confederation. Then again, after Confederation had been dead and buried, after all had become calm, and party spirit had died away, there occurred a vacancy in the County of York, and everybody knew that my hon. friend entered the contest to fill that vacancy, with the avowed denial that Confederation had anything to do with it. It was a purely party question between Mr. Fisher and the Government. He put it upon the grounds of hostility to the present Government, and hostility to Tim Anglin, he would not even say Mr. Anglin. It was merely a party question whether Mr. Pickard should be returned or not. When Judge Wilnot descended and entered the political contest without any excitement concerning Confederation, for Mr. Fisher himself ignored the ground, that Confederation had anything to do with the election; he prostituted the Bench and made it a political arena. He openly went to the polls and gave his vote, saying at the same time: "there is a vote for Charles Fisher." If that is not dragging the crime into politics I do not know what it is. We were discussing in the House, not long since, a question whether a Judge had a right to sit in judgment on a case where he is interested to the extent of one-seventh part of a cent; but here you have a Judge descending from the Bench and identifying himself with party politics, by voting for Mr. Fisher, against the Government. (Mr. Wetmore.—Where did you get your information?) He