

their successors were appointed, and then their resignation was formally announced in the House. The members of the Executive Council were then sworn in.

Mr. FLEMING moved for adjournment till to-morrow morning.

Mr. ANGLIN said as Mr. Smith's efforts in speaking were very exhausting he thought it would be better to adjourn till the afternoon.

Mr. WILMOT said he wished to ask of the House time to form a new Government, and desired an adjournment till Monday afternoon at half-past two.

Mr. SMITH said it was usual, under such circumstances, to adjourn, and he should express no objection.

Mr. OTTY then gave notice that he should, on the day next, move a series of Resolutions in opposition to those passed by the Legislative Council on the question of Union.

The House then adjourned till Monday afternoon at half-past 2, P. M.

J. MARCH.

MONDAY, APRIL 16th.

After the Journals were read, His Honor the Speaker remarked that it was unnecessary to proceed with the third reading of the Bills before them, because there would be no time for the Legislative Council to assent to them, as the Legislature was to be prorogued at three o'clock.

Mr. SMITH, in resuming, said he understood that the Government had condescended to give him permission to reply to a speech made by a member of the Government in the Legislative Council, which was an attack upon him. He trusted that they would not exercise and prostitute the prerogative of the Crown to prevent any person speaking upon a point upon which they feel they have a right to speak. (Mr. Wilmot said that he had not been informed that the House was to be prorogued at three o'clock.) Mr. Smith said that showed the way the business was carried on. The leader of the Government states—after the announcement made by you—that he does not know that this House is to be prorogued at three o'clock. Who governs the country, the Governor or his constituents and advisers? It is extraordinary that we have had no announcement made yet whether the public departments are filled or not, although it is nearly a week since the late Governor resigned. This conduct cannot be justified. Responsible Government, which took us so long to win, and which we have cherished with such jealous care, seems to be laid prostrate before the power of despotism, and we are told by His Excellency that it is the result of accident. If the people have an opportunity of having a voice in this question, they will try to bring it back again. He (Mr. S.) had been told that he had been charged by a member of the Government in the Upper House with an act of discourtesy to Captain Hallows. It was said that the Governor's answer to their resignation delivered to him by Captain Hallows, was to be returned. We sent in our resignations at one P. M. on Tuesday, and did not get an acceptance of it until Thursday at 6 P. M. The next day they met to prepare an answer to it, and while there, Captain Hallows came and requested him to return the paper. He (Mr. S.) replied

that they wanted the paper in order to prepare their answer, which it would take some time to prepare. He then told him to return it to his room in the morning and copied some alterations which His Excellency wished to make, taking them away with him and seeming satisfied, for he made no complaint. It is a novel proceeding to ask for a paper of that importance to be returned while the controversy was going on, but the most remarkable thing is that one paper was sent to them, and a different one was published in the Royal Gazette, in which material alterations had been made. That very night another paper, in which other alterations were made, was telegraphed through to St. John without waiting for their answer, and for this the public will have to pay. Should that paper, in which serious charges were made against him, have been published in the Royal Gazette without his reply? He would leave it to the House and country to say if that was fair. In reference to Responsible Government, he would read a passage from His Excellency's communication as published in the Royal Gazette:

"His Excellency may be in error, but he believes that a vast change has already taken place in the opinions held on this subject in New Brunswick. He fully anticipates that the House of Assembly will yet return a response to the communication made to them not less favorable to the principle of Union than that given by the Upper House."

They were elected upon the anti-Confederate ticket, and His Excellency expresses the hope that they will be recalcitrant to their trust, and that they will, like the Legislative Council, pass an Address opposing the Quebec Scheme, and ask Her Majesty to force it upon the people of this country by Imperial Legislation. His Excellency goes on to say:

"In any event he relies with confidence on the desire of a great majority of the people of the Province to aid in building up a powerful and prosperous nation under the sovereignty of the British Crown. To their verdict His Excellency is ready and willing to appeal."

This last clause was not in the manuscript submitted to the Government. One paper was given to them, another published in the Gazette, and another sent to St. John, and these three were all different. There is no justification for these alterations. In another part he says:

"The Lieutenant Governor, of course, feels that previous communication between himself and his advisers as to any step he is about to take, is, when practicable, both desirable and essential."

The word essential seems to imply that it was his duty to consult his Council, but that word is not in the manuscript submitted to them, but has been substituted for the word convenient.

Mr. WILMOT said there was a very rough copy of the original kept, which was the reason His Excellency wished it sent back in order that they could have a copy of it.

Mr. WILLISTON said that if he rightly understood Mr. Smith he agreed at the time to give the paper back.

Mr. SMITH said he told Captain Hal-

lows that he could not return it, as an answer had to be prepared to it. His Excellency went on to make other alterations. He says:

So recent was His Excellency's wish that the contents of his Reply should be known to the Council before its delivery."

That was added to the paper submitted to them, and it puts a different face upon the document. He (Mr. S.) would ask the House why it was, if His Excellency had so strong a wish for the contents of his reply to be known to his Council, that he used such unbecoming haste in returning an answer? Did he expect this effort of the Legislative Council would be successful, and the British Government would force the Quebec Scheme upon the people of this country. As sure as the sun sets in the west they will rebel against any such attempt. He (Mr. S.) felt satisfied that many of those gentlemen who desired Confederation wished to obtain it by constitutional means, and did not desire by coercion to force Confederation upon the people. He believed they would resist any such attempt to force upon the people of this country a scheme which they have rejected. There must be a hidden hand in the matter, for the answer of His Excellency to the Legislative Council was known to several members of the Opposition a day or two before it was delivered. If that be true it is not lamentable and outrageous that such a state of things exist. The question to be considered is not Confederation or anti-Confederation, but it is a great constitutional question. If he (Mr. S.) was the worst man that ever lived, it would be no excuse for His Excellency not consulting with his advisers, against whose character he could say nothing, for it was due to them that they should be consulted. The intelligence of the people of this country has been insulted by His Excellency's telling them that his not consulting his Executive Council was the result of an accident. He (Mr. S.) felt assured that many of the members of the Legislative Council would now be willing to retract their steps, for they feel that an injustice has been perpetrated upon the country. He did not know whether the House was prorogued in view of a dissolution or not, but he was satisfied that this transaction must inevitably end in a dissolution, in order that the people may express an opinion upon their conduct. He would now call attention to some resolutions which were now pending before the House, in order that they may see exactly the position they were in. There was an important principle in these resolutions, for they contained not only a want of confidence in the Government, but in the Governor himself. Mr. Smith then read the following Resolutions, moved by Mr. Otty:

"Whereas the Legislative Council in Provincial Parliament assembled, did, on the 6th of April instant, pass an Address to Her Majesty, praying that Her Majesty might be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, in one Government, such union to be based upon the resolutions adopted at the Conference of Delegates from the several Colonies, held at Quebec on the 10th October, 1864: