

it be necessary to pass such a law in this instance, how much more important is it that a Judge should keep aloof from all political contests.

The hon. member from Restigouche has called us "mongrels," and has condemned us because we have alluded to the despatches from the Home Government in the speech. My hon. colleague (Mr. Gilbert) also does so.

There is an unerring law of nature applicable to the animal kingdom, that when certain species amalgamate they produce hybrids. These Counties have returned what I call hybrid politicians, and the sooner their constituents dispossess of them, the better their interests will be subserved.

The Surveyor General thanked the House for its indulgence, and left the question in its hands, feeling satisfied that after calmly considering the evidence, it will triumphantly acquit the Government, which will be responded to by a large majority of the people of this Province.

### WEDNESDAY, MARCH 28.

On motion of Mr. WETMORE, the House went into a Committee of the Whole on a Bill to revive and continue an Act entitled an Act for the relief of insolvent debtors. This Bill caused a long discussion, and was finally referred to a select Committee.

The House then proceeded to the order of the day:

#### THE ADJOURNED DEBATE ON MR. FISHER'S AMENDMENT.

Mr. McCLELLAN said that before the Hon. Surveyor General resumed his speech, he would claim the indulgence of the House to reply to some observations which that gentleman made yesterday when he (Mr. McC.) was not in his seat. He was informed that the Hon. Surveyor General had complained of his having made an unfair statement concerning the granting of twenty-seven acres to Mr. Gibson without public sale. What he (Mr. McClellan) stated was as follows: That on enquiry at the Land Office he had ascertained that amongst other lands granted to Mr. Gibson, were two small lots detached from the main body, one of fifty acres at the Nashwaak Falls, and another of twenty seven acres at the head of the river, and commanding the waters of St. Mary's Lake, that the latter, though advertised in the *Gazette*, along with the other lands applied for at the time, was not sold publicly but granted to Mr. Gibson without being offered to public competition at all, but that the clerk had told him in justification of the proceeding, that this lot was so granted to Mr. Gibson to compensate him for a deficiency in another lot which he (Mr. Gibson) held. The Hon. Surveyor General could not have noticed the whole reference, or he would not have imputed any unfairness in the statement. Several other hon. members could assert that he had so stated the case, every word of which he (Mr. McClellan) could substantiate. He did not censure this Government particularly in this matter, but the system was open to suspicion, and if this was the proper time to discuss the question of the crown lands, he was quite prepared to show that however much the

Government might *censor* or *whitewash* their system of management, a close inspection would reveal the fact, that the interests of the people were neglected and a great public wrong inflicted by the present administration in connection with this matter.

HON. MR. SMITH rose to order, and said this was not the proper time to argue the question further, when the Hon. Surveyor General was entitled to the floor.

Mr. ANGLIN said the Hon. member for Albert (Mr. McClellan) had stated the case most unfairly and unjustly yesterday, and he was now putting it in exactly the same light again. His impression, from what his hon. friend had stated, was that these twenty-seven acres were part and parcel of the 10,000 acres sold to Mr. Gibson and these twenty-seven acres were sold to him by the present Surveyor General without competition, because they commanded the head waters of the St. Mary's Lake. This was the impression conveyed to every member of the House, with the exception of the late Surveyor General. The sale of this land took place in 1860, by order of the Government, and it passed through several hands before Mr. Gibson bought it.

Mr. MCLELLAN, in reply, said that the hon. member from St. John would do well to keep cool, for if it became a question of veracity between that hon. gentleman and himself, he (Mr. McClellan) had no fear that his assertion would have as much weight with the people of New Brunswick as that of the hon. member from St. John. He had stated only facts, which he was prepared to prove, and he had done so, too, frankly and openly, and without any prevarication or distortion and concealment.

HON. MR. SMITH again rose to order, and, amidst considerable confusion, the standing order of the House was insisted on by Mr. Nodham, and the discussion was continued with closed doors.

### AFTERNOON SESSION.

HON. MR. BOTSFORD.—Before the recess my hon. friend from the County of Albert (Mr. McC.) was making some explanation with reference to what I considered a charge made by him against the Government. I charged him with imparting to the people erroneous information in regard to the twenty-seven acres of land which Mr. Gibson purchased from Mr. Chipman at the rate of \$3 per acre. In his explanation he still conveys the same erroneous impression, that this land was purchased from the Government without competition. It has been stated here that I maintained the doctrine that all information regarding Crown Lands should be sought for at the head office of the department. I never made any such assertion. I never said information should not be imparted to the deputies' office. I said that when they wanted information on which to ground a charge against the head of the department, it was a fair, open, manly way to come to the head office for information.

In reference to the charge that notice was not given in the *Royal Gazette* of the rescinding of this Order of Council, it will be borne in mind that from 1862 until June, 1865, all notices in the *Royal Gazette* for the sale of land, under auction, was subject to a condition of ac-

tual settlement, but from the time that order was rescinded, in 1865, that notice requiring actual settlement was left out. The very moment that condition was not annexed to the advertisements, the land would be sold at auction to the highest bidder, therefore this gave it every possible publicity. (Mr. Lind-say.—The *Royal Gazette* says the conditions will be explained at the time of sale, and the deputy said he had no instructions only those which he had received some years ago, and he was led to suppose the same regulations still continued.) If any person will take the *Gazette* and look at the advertisements for the sale of land by auction, from last June, he will find that there are no conditions of actual settlement attached to these sales after the rescinding of the Order of Council, thereby conclusively showing to every deputy—through this *Gazette*, which is his rule and guide—that no condition of actual settlement was required. Notwithstanding that notice did take place, it did not increase the sales of land, neither did the publication of the rescinding of the Order of Council, and the comments thereon in the St. John papers, in September. In the month of July there were two thousand one hundred acres sold, in August three thousand one hundred, September three thousand, October three thousand two hundred, November two thousand seven hundred, December three thousand. This shows very conclusively that the sales of land did not increase after the rescinding of the Order of Council was published throughout the length and breadth of the land. The next charge was made in reference to the non-appointment of an Auditor General. (Mr. Botsford then read the law regarding the office.) We have gone according to law, and the accounts in that office have been made up, so that they could see at a glance the state of the finances of the country. The hon. member for Westmorland (Mr. Gilbert) has alluded to a vote of want of confidence, which he says has taken place in the other branch of the Legislature. I do not know as it is parliamentary to speak of the proceedings of that body, but I think that I have a right to do so, as the subject has been introduced. It has been represented that that vote of want of confidence is no more or less than that they are favorable to a union in any way whatever. This means nothing more or less than that they are favorable to the Quebec Scheme. It has been stated by the hon. mover of the amendment, that it is perfectly futile for any member of the House of Assembly to object to this question of representation by population, as it was a *sine qua non* with Upper Canada. Therefore, the Legislative Council, knowing they could get no other scheme, have by their vote of want of confidence declared themselves in favor of the Quebec Scheme. (Mr. Wilmot.—The leader of the Government, so far as I understood him, admitted that he would consent to representation by population, provided there were checks in the Legislative Council. I put the question to him and he admitted it clearly and distinctly.)

HON. MR. SMITH.—I made no such statement. I said I never would go for representation, pure and simple. I would not go for it without checks and guards could be placed upon it to neutralize