

report, that the said John Menhan and Robert Young are duly elected members of the said County in General Assembly. The Committee further unanimously report, that the said petition was frivolous and vexatious.

WM. S. CAIE,
Chairman

Committee Room.
13th March, 1866.

MR. CAIE brought in a Bill to increase the representation of the County of Kent.

MR. MENHAN brought in a Bill to increase the representation of Gloucester.

MR. OTTY brought in a Bill to increase the representation of the several Counties therein mentioned.

MR. FRASER brought in a Bill to enable the City of Fredericton to send a member to represent them in the House of Assembly; also, a Bill to incorporate the Provincial Oil Company.

MR. COSTIGAN brought in a Bill to abolish the property qualifications of members of the House of Assembly.

AFTERNOON.

DEBATE ON THE AMENDMENT TO THE 4TH PARAGRAPH OF THE ADDRESS.

MR. FISHER resumed

MR. FISHER, on resuming, said, he would refer to the principal points put before the House yesterday, when he said, that the very fact that the Legislature had no been convened till one month after the usual time, showed an utter disregard of the wants and wishes of the people, and was in itself sufficient to condemn the Government before the country. The absence of the Attorney General at Washington was no sufficient excuse. He had referred to the vacillation of the Government, and their failure to fill up the public offices, as against the ends and spirit of the Constitution; that provided there should be a certain number of salaried and responsible officers; yet, during the time the Government had held office, there was hardly one to be found in his place—one officer was off to one place and another to another place. He had referred to the Government not filling up the office of Solicitor General. The Constitution demanded that the Governor should have the advice of hon. gentlemen to conduct the business of the country; while the Attorney General was off to England and to Washington the country had been without the advice of a Crown Officer. When he (Mr. F.) was Attorney General he never had left home for two days but he found that letters and documents had been flowing in continuously demanding his attention. Things must have marvellously changed since he was in power, if, with the advancing prosperity of the country, with the advancing tide of civilization, there was not still the same flow of business—the same need of the constant advice of the officers of the Crown. The Government had kept the office of Solicitor General dangling before the country because they could not find one man who was willing to take it, and run the risk of an election. That fact showed the Government was sinking, and since it had come into power, it had sunk lower and lower, till it was difficult to imagine it would sink any lower. And the salary of the Solicitor General had not been saved to the country. His know-

enough of the value of the services of legal gentlemen retained to do the business, to know that.

He had referred to the fact that there was not an efficient office of Audit. He had gone into the Audit Office and found that of all the entries, amounting to \$700,000, not one account had been legally audited. He knew that the office of Auditor General was one of the most important in the country. He had shown that it formed part of its Constitution; that among the arrangements made, when the Civil List was surrendered, was one that there should be an efficient Office of Audit; that it was in fact, the crowning consequence and result of that arrangement. Mr. Fisher quoted the dispatch of Lord Glenelg, of September, 1836, in proof.

"Among the objects," His Lordship observed, "to which it is my purpose to devote a portion of this surplus, is the institution of an efficient Office of Audit within the Province for all the Revenues raised and expended in it. I am, of course, aware that, at present, it is the custom of the House of Assembly to appoint, from time to time, Committees of that Body to whom are referred such financial returns as are laid on the table, and, also, in fact, exercise the power of auditing the accounts specified in such returns. It is far from my intention to undervalue the labors of these Committees, or to question the advantage which must accrue to the public service from the rigid supervision, by the Representatives of the people, of the expenditure of the Executive Government; but, at the same time, Committees of a popular Body are but an inadequate substitute for a permanent and responsible officer whose duty it would be to inspect the accounts of the public departments. The experience and practical skill, the intimate and continuous knowledge which are necessarily acquired by such an officer, giving him many advantages over any fluctuating body. It is also to be observed that the appointment of an Auditor immediately responsible to His Majesty, is more consistent with the Constitution and practice of the Kingdom than the consigning of the duty of examining the PUBLIC ACCOUNTS ALTOGETHER TO THE REPRESENTATIVES OF THE PEOPLE.

I will lose no time in communicating with the Lords of the Treasury to prepare in concert with them the necessary arrangements for the constitution of an efficient Office of Audit."

Mr. Fisher then went on to show what were the powers and duties of Auditor General. He was invested with judicial powers; he might require accounts on oath and witnesses, and books or papers to be produced, and if not within six months to disallow them. He had the power of Justice of the Peace, and might examine witnesses on oath; he was reviewer by certificate; no proceedings could be had for the recovery of any sums of money until the Auditor General had made a report on them. He might send his clerk abroad to examine into the facts of an account, and a verified copy of audit and order of council was evidence in all cases, and argued that the Government had been guilty of a violation of the law and the Constitution of the country in not appointing an Auditor General; they had been derelict in their duty, and did not deserve the confidence of the

House. He had referred to the legislation of the Government; the only thing they had done was to pass a Treasury Note Bill, which had not yet received the approval of Her Majesty. He had never thought much of paper money, and of assignats; he preferred the good old gold, or some solid equivalent, yet looking abroad at the tendency of the times, he was afraid the Province would be forced to adopt them. He had referred to the Post Office Bill, and must express his surprise that after the Bill had been thrown out in the Upper House, a gentleman of that body who had been elected to fill the office of Postmaster General, He had referred to the Crown Land Office, and maintained that when the Government wished to break down regulations, in common justice to the country the repeal should have been notorious as the framing itself. He had referred to the despatch of the 12th of April, 1865, and he put it to the House if they would countenance a Government in keeping back despatches received from the Imperial Government. We had been talking very largely of the greatness of the Province, and of the humiliation of being connected with Canada and Nova Scotia; but was it consistent with that greatness that at the Province should receive the first news that such a despatch had been written through these sources?

[Mr. Fisher here quoted part of the said despatch, which expressed the approval of Her Majesty's Government of the Quebec scheme, on the ground that it was eminently calculated to promote effectual provisions for general defence, directing the Governor to bring the scheme before his advisers; showing that New Brunswick, as a separate Province, could make no adequate provision for its own defence, and that the Government should reasonably attach great weight to the views and wishes of England.]

He maintained no one could justify the Government in keeping back such a despatch; it was an infraction of the Constitution. Why was the despatch so important? Because, if laid before the House when it should have been, last session, there would have been no need to send a delegation home, which had, it was said, cost the country \$200. In private life, suppose a case where one of the parties to a contract kept back an important paper, what would that be called? (Mr. Wetmore, —I might call it fraud.) What he (Mr. F.) complained of in the Government was, if they erred in small things, they would err, if occasion offered, in great. He had referred to the delegation, and he must say, after the glorifications of the press of the Government, he felt sorry, he felt humiliated, at the manner our delegates had been received compared to those of Canada. While the Canadian Ministers had been presented to the Queen, and had every honor paid them, our men had been snubbed. He had referred to the other despatch of the 28th July, in the reply to the delegates, published in Canada but never in New Brunswick, in which Mr. Cardwell said:

"I have answered them in entire accordance with the despatches I have addressed to you explaining the views of Her Majesty's Government on the subject of Confederation, and that no countenance would be given to a union of the Maritime Provinces, unless it contributed to the other."