

# CORRESPONDENCE ON THE RESIGNATION.

*To His Excellency the Honorable Arthur Hamilton Gordon, C. M. G., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

The Executive Council in Committee beg to acknowledge the receipt of Your Excellency's Memorandum of the 7th instant, and the Reply therein returned to, which are as follows:—

"His Excellency the Lieutenant Governor transmits to his Council a Copy of the Reply which he has this afternoon returned to an Address of the Legislative Council, requesting His Excellency to transmit to Her Majesty an Address, praying that Her Majesty will be pleased to cause a measure for the Union of the British North American Provinces to be introduced into the Imperial Parliament.

(Signed)

ARTHUR GORDON.

FREDERICTON, April 7th, 1866.

*"Mr. President and Honorable Gentlemen of the Legislative Council:*

"I will immediately transmit your Address to the Secretary of State for the Colonies, in order that it may be laid at the Foot of the Throne.

"Her Majesty the Queen has already been pleased to express a deep interest in the Union of Her North American Dominions, and will, no doubt, graciously appreciate this decided expression of your opinion.

"I rejoice to believe that the avowal of your desire that all British North America should unite in one Community under one strong and efficient Government, cannot but tend to hasten the accomplishment of this great measure."

The Council would subjoin a copy of the Address referred to in the above.

**"TO THE QUEEN'S MOST EXCELLENT MAJESTY.**

*Most Gracious Sovereign:*

"We, Your Majesty's faithful and loyal Subjects, the Legislative Council of New Brunswick, in Provincial Parliament assembled, humbly approach Your Majesty with the conviction that a Union of all Your Majesty's British North American Colonies, based on the Resolutions adopted at the Conference of Delegates from these several Colonies held at Quebec on the tenth day of October, 1864, is an object highly to be desired, essential to their future prosperity and influence, and calculated alike to strengthen and perpetuate the ties which bind them

to Your Gracious Majesty's Throne and Government, and humbly pray that Your Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of thus uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, in one Government."

The Council, in reply, would respectfully remark, that in their opinion it was incumbent upon your Excellency to consult your Constitutional Advisers in regard to the answer so given, and in assuming to yourself the right to reply to such Address without consulting them, your Excellency has not acted in accordance with the true spirit of the Constitution.

In this connection the Council would beg to refer to the statement appended hereto, giving an account of two interviews between your Excellency and the Attorney General.

The Reply so given by your Excellency to the Legislative Council is a distinct and emphatic approval of their proceedings, the responsibility of which your advisers are unwilling to assume for the following reasons:

1st. That in any measure involving an organic change in the Constitution and political rights and privileges of the people, they should be consulted, and unless approved of by them no such measure should be adopted or forced upon them.

2d. That in March last a dissolution took place professedly with a view to ascertain the sense of the people upon the Quebec Scheme, and they pronounced unmistakably against its adoption by large majorities.

3d. That the Representatives of the people at the last Session of the Legislature passed resolutions condemnatory of such Scheme, by a majority of twenty-nine to ten.

4th. That the Legislative Council are not elected by the people, and are not constitutionally responsible to them for their Legislative conduct, and have no rightful authority to pray Her Majesty to give effect, by Imperial Legislation, to any measure which the people have rejected.

5th. That such proceeding violates every principle of responsibility and self-government, and is subversive of the rights and liberties of the people, and seeks to take from them their Constitution, not only without their consent but against their clearly expressed wishes.

6th. That such a course is calculated to bring the Legislative Council and House of Assembly into collision, and disturb that harmony that should subsist between them, and manifests an entire disregard of the power and majesty of the people.

That the Legislative Council have a legitimate right to express their opinion upon any public question; the Council do not deny; but to invoke the aid of the British Government to coerce the people into Confederation, is a proceeding in the opinion of this Council without parallel and wholly unwarrantable.

The Council would further remark, that they have good cause to believe your Excellency has, ever since the opening of the Legislature, consulted and advised with gentlemen of the Opposition, and made known to them matters which they think should be regarded as confidential. This we feel your Excellency has continued to do, notwithstanding the repeated objections of one or more Members of the Council who told your Excellency that it was not right, and that it gave the Opposition a decided advantage in the debate then pending; and your Excellency having taken the advice, as they truly believe, of a gentleman of the Opposition, as to the answer given to the Legislative Council on Saturday last, instead of that of your Constitutional Advisers, they would respectfully express their conviction that such a course was unconstitutional, and without precedent in any country where Responsible Government exists.

The Council would further state that the Government were supported by a majority of the members of the House of Assembly, of which fact your Excellency was fully aware.

Under these circumstances, the undersigned would beg respectfully to tender to your Excellency the resignation of their offices as Executive Councillors.

Respectfully submitted,

A. J. SMITH,  
GEORGE L. HATHEWAY,  
B. BOTSFORD,  
W. H. ODELL,  
JOHN W. CUDLIP,  
J. V. TROOP.

*Memorandum of Conversation between His Excellency and Mr. Smith.*

On Saturday the 7th instant, about 11 o'clock A. M., I called at Government House and had an interview with His Excellency, and in the course of conversation, the proceedings of the Legislative Council were referred to, when I spoke in terms of disapproval of the course which they had adopted in reference to the subject of Union. Something was said about the presentation of the Address, and His Excellency's Reply thereto, when he asked me what answer I would advise. I replied that in my opinion the answer to be given should simply be that he would transmit it to Her Majesty. His Excellency said that he would think of it and see me again. He did not state that he intended to receive their