

Fredericton, 7th Feb. 1866.

The following Documents are published for general information.

## 1.

To His Excellency The Hon'ble A. H. Gordon,  
C. M. G., Lieutenant Governor of the Province  
of New Brunswick, &c. &c. &c.

We advise Your Excellency to appoint George Thomas, Esquire, Chairman of the Railway Board, in place of J. W. Lawrence, Esquire; James Steadman, Esquire, a Commissioner of Railways, in place of R. C. Scovil, Esquire, resigned; and Charles H. Fairweather, Esquire, Commissioner of Railways, in place of Francis Collins, Esquire.

July 17, 1866.

(Signed) S. L. TILLEY,  
CHARLES FISHER,  
JOHN M'MILLAN,  
JOHN M'ADAM,  
CHARLES CONNELL,  
P. MITCHELL,  
EDW. WILLISTON,  
A. R. M'CLELAN.

(August 20, 1866.)

## 2.

The Lieutenant Governor has received a Minute, signed by a large majority of the Members of his Executive Council, recommending the appointment of certain Gentlemen to the office of Railway Commissioners.

His Excellency cannot have the least difficulty in acceding to the recommendation of his Council, as to the nomination of a gentleman to fill the vacancy caused by the retirement of Mr. Scovil. His Excellency observes, however, that the Minute in question also advises the removal of two gentlemen now holding office as Commissioners of the European and North American Railway.

His Excellency requests His Council to communicate to him the reasons which, in their opinion, render advisable the adoption of the course recommended to him; and lays before them the copy of a letter which he has received from the Chief Commissioner of the European and North American Railway, in reference thereto.

ARTHUR GORDON.

17th August, 1866.

[ Enclosure. ]

J. W. Lawrence, Esq. to the Lieut. Governor.

## 3.

To His Excellency The Hon'ble A. H. Gordon,  
C. M. G., Lieutenant Governor of the Province  
of New Brunswick, &c. &c. &c.

The Executive Council in Committee have duly considered the Memorandum of Your Excellency of the 17th instant, accompanied by a letter from J. W. Lawrence, Chairman of the Board of Railway Commissioners.

Your Excellency requests the Council to communicate to Your Excellency the reasons which, in their opinion, render advisable the appointment of certain gentlemen to the office of Railway Commissioners instead of those now holding that position, as recommended by the whole of Your Excellency's Advisers with but one exception.

The Council deem it highly desirable that the Officers to whom is entrusted the management of such a very large amount of public property, with considerable patronage connected therewith, should be in perfect accord with the Government of the day as well as possess the confidence of the Government and the people in regard to their fitness and efficiency for the duties imposed upon them.

The Council, as the sworn advisers of your Excellency, responsible to the people, made the recommendation alluded to after careful consideration, with the confident belief that the best interests of the people would be thereby subserved.

The Council desire to express the opinion that it is inexpedient to adopt in this case a precedent so unusual as to place on record

further reasons for the advisability of the course recommended, the subject having been already discussed with your Excellency by members of the Council, and therefore beg leave respectfully to urge, in the firm and conscientious discharge of duty, the adoption of the recommendation without further delay.

(Signed) EDWARD WILLISTON,  
A. R. M'CLELAN,  
JOHN M'ADAM,  
JOHN M'MILLAN,  
CHARLES CONNELL.

Council Chamber, 18th August, 1866.

## 4.

The Lieutenant Governor has received a Minute signed by five members of his Council, in reply to that communicated to them by His Excellency on the 17th instant.

His Excellency is somewhat at a loss to understand whether this Minute is intended as a reply to the question asked by His Excellency, or as a refusal in courteous terms to comply with the request made by him.

His Excellency, however, is unwilling to suppose that the latter is the more correct interpretation.

His Excellency has no doubt that the recommendation in question was made, as stated by the Committee, "in the confident belief that the best interests of the people would be thereby subserved," and after a full and careful consideration. The reasons which influenced the decision of the Council are therefore probably such as to be entitled to the most serious attention, and as they must one day be made public, His Excellency cannot conceive the existence of any sufficient cause for now declining to communicate them to him.

His Excellency can never exercise the power of removal vested in him without reluctance and regret, although he may be convinced of the necessity for its exercise; and the reasons which have induced his Council to recommend him to exert that power in the present instance may be expected to prove of a nature well calculated materially to diminish the force of such sentiments on his part.

The Lieutenant Governor purposely refrains from raising any question of Constitutional right; nor can he see any necessity for the introduction of such questions.

His Excellency therefore hopes that his Council will not hesitate to comply with a request courteously preferred on his part, and for which they may certainly find precedents in the records of the Executive Council. If, however, the Minute in question is considered as an answer to His Excellency's enquiry, he must observe that, although the Council lay down the doctrine that the holders of such offices as the Railway Commissioners ought to possess the confidence of the Government and people in their fitness and efficiency, as well as the proposition that they ought to be in perfect [political?] accord with the Government of the day, it is not once expressly asserted that the gentlemen in question have forfeited such confidence or failed to act in such accord.

ARTHUR GORDON.

## 5.

To His Excellency the Honorable Arthur Hamilton Gordon, C. M. G., Lieutenant Governor,  
&c. &c. &c.

The undersigned members of Council have received and examined the Memorandum of Your Excellency submitted this day, (though not dated.)

When the Council stated to Your Excellency in their Minute of the 18th instant that the officers to whom is entrusted such a large amount of public property, as pertains to the European and North American Railway, with the patronage therewith connected, should be in perfect accord with the Executive and possess the confidence of the Government and people with regard to their fitness and efficiency, they wished Your Excellency to distinctly understand that they did not believe the present Commissioners to possess these qualifications or hold this confidence.

Having thus more clearly expressed what Your Excellency has deemed somewhat ambiguous in the Minute above referred to, and not